DOCUMENT RESUME

ED 161 513 PS 009 917

AUTHOR	Possin, Carol
TITLE	Citizen Action Manual: How to Effect Change in the Adoption/Foster Care System.
INSTITUTION	Citizens' Coalition for Children, Inc., New York, N.Y.
SPONS AGENCY	New York State Dept. of Social Services, Albany.; North American Council on Adoptable Children, Riverside, Calif.
PUB DATE	Dec 76
NOTE	184p.; Second printing, 1977
AVAILABLE FROM	North American Council on Adoptable Children, Central Office, 250 East Blaine, Riverside, California 92507 (Paper, $5.00, plus $0.75 postage and handling)
EDRS PRICE	MF-$0.83 Plus Postage. HC Not Available from EDRS.
DESCRIPTORS	*Adoption; *Change Strategies; *Child Advocacy; Child Welfare; Citizens Councils; Financial Support; Foster Children; *Foster Family; Foster Homes; Information Networks; Legislation; Neglected Children; Organizational Communication; *Parent Associations; Policy Formation; *Social Action

ABSTRACT

This manual for child advocates in New York describes detailed procedures for organizing and operating citizen adoption groups and provides background information on the decision-making bodies, funding sources and resource organizations involved in adoptions. Procedures for changing bureaucracies and influencing legislation are emphasized. Information acquisition, processing and dissemination functions of adoption groups are specified. Parent, child, and agency relations as well as funding procedures and state and national organizations for child advocates are explored in the first part of the manual. Part 2 presents definitions of legal and organizational terms and expands acronyms. Also given are the authors' positions on issues concerning advocacy and adoptions; basic statistical information on children needing services; and brief descriptions of law, regulations and court decisions concerning child welfare. Sources of adoptive children and organizational resources for applicants are briefly described. Public officials and agencies who make decisions affecting adoption and foster care are listed and their positions defined. Funding procedures for child care services are outlined. A bibliography is included. (RH)

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CITIZEN ACTION MANUAL

How to Effect Change in the Adoption/ Foster Care System

1st Printing: CITIZEN'S COALITION FOR CHILDREN, INC., NEW YORK

2nd Printing: NORTH AMERICAN COUNCIL ON ADOPTABLE CHILDREN
250 E. Blaine, Riverside, CA 92507

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CITIZEN ACTION MANUAL

by Carol Possin

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We wish to acknowledge the support and contributions of the Citizens' Coalition For Children, INC. of New York and

Joan Locke	Peggy Soule
Ina Jorge	Gerald Adcock
Shirley Damboise	Peg Van Loo
Janet Tullo	Mary Jane Fales
Lanie Chasnov	Pat Becker
Joan Schweizer	Anita MacDonald
Sue Wildermuth	Elsie Kirk
Judy Schaffer	and many others

1st Printing Funded by a Title IV-B Grant from the New York State Department of Social Services

December, 1976

2nd Printing Funded by the North American Council on Adoptable Children

October, 1977

PS0009717

Order from: North American Council on Adoptable Children
Central Office, 250 E. Blaine
Riverside, CA 92507

Price: $5.00 plus 35¢ postage and handling

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INTRODUCTION

You are a child advocate.

You, as an adoptive or foster parent or concerned citizen, have a special knowledge of the child care system; you have ideals and work to achieve them; you help others; you act!

Each child whose life you touch in your work is infinitely important. Your goals, activities, and knowlege can grow through sharing, and it is for this reason that the Citizens' Coalition for Children has combined the talents of many child advocates to produce this Citizen Action Manual.

It will be useful for individuals looking for new limited projects to try. It will help those wishing to combine efforts in groups and coalitions.

Consensus among experts in the child care field is that of the nearly 50,000 children in New York State foster care or institutuions, one-third should return home or be adopted. It is our goal that children find permanent homes. The task before us can appear overwhelming. However, if you learn nothing else from this Manual we hope you go forward with the conviction that you do not have to change the whole child care system in order to do a lot for children. But you must not conclude that because child care problems are numerous and complex you should do nothing. There is a place for every advocate between nothing and everything.

You can best use this book by getting a loose leaf binder for it. There will be periodic updates and additions, and we welcome your contributions to our continuously evolving Manual.

PART I. THE FORMS AND FUNCTIONS OF CITIZEN ADOPTION/FOSTER GROUPS

The goals and activities in this section are presented as choices. Do not expect to engage in all the described functions. Advocates should choose a few goals and constantly evaluate functions to insure that activities aim toward goal achievement. For example, it is pointless to engage in court watching without an objective, such as data collection to support an argument for improvement in the court review of foster care.

1. PURPOSES AND GOALS

WHY FORM A CITIZEN ADOPTION GROUP?

Citizen adoption groups form out of necessity for several reasons. Adoptive parents usually need and seek the advice and support of other adoptive parents, especially with difficult placements involving today's available children.

Parents tend to trust the advice of other parents who "have been there." Their advice and support is real, direct, and concrete. A parent can also trust another parent in a special way that a caseworker or other professional may not be trusted. That is, a caseworker in a supervisory position can evoke caution against saying anything that might give the family a negative evaluation in the record. But with another parent having no official supervisory power, the parent can openly express the negative feelings about a child that are bound to occur from time to time. Experienced parents perform an invaluable supportive role in the adoption process of others.

In addition to active encouragement, groups of adoptive families tend to form models that are copied by others in a community. A difficult adoption, for example, by an isolated family is quite rare, but once the community sees a few such adoptive families, difficult adoptions tend to increase. An interesting example of this phenomenon has occurred in the area around York, Pennsylvania, where adoption of six to twelve special children per family has almost become commonplace. The mere existence and friendship of several such successful families is a positive encouragement to others to consider creating a similar family.

Although a single family model can provide some support to others wishing to adopt, services to promote adoption can greatly increase when several adoptive families work as a group. A group provides efficiency through division of tasks and strength in numbers. A group can provide many services to professionals and parents. It can combine efforts to promote needed changes in the treatment of children on all governmental levels. A group can also combine the variety of talents, contacts, and backgrounds that can promote linkages between the many agencies and bureaus working with children and with the public in general. Very successful citizen adoption groups have engaged entire communities in finding homes for waiting children by combining the personal contacts brought by each individual to the citizen adoption group.

GOALS

The primary goal of a citizen adoption group is to increase the number of successful adoptions of waiting children. To this end, groups choose to perform any number of a variety of services:

- Public education about available children, the adoption process, problems in children's services, etc.
- Recruitment of adoptive applicants and referral to agencies
- Counseling and support of adoptive applicants, parents, and children
- Advocacy for applicants and children experiencing barriers to adoption
- Monitoring agency practices
- Promoting positive systems change

Some groups seek funding and create a professional adoption service. The Council of Adoptive Parents of Rochester, New York, for instance, created a multiple listing photo service. PLAN (Plan Loving Adoptions Now), an adoption placement agency in Oregon began as a citizen adoption group.

A group should also not be discouraged by the small number of adoptive placements that it might succeed in facilitating. Note that available children are indeed difficult to adopt and not every family has the special parenting skills and desire to accept them. Keep in mind that the New York State Adoption Exchange in its 3 years of functioning only facilitated the placement of approximately 80 out of some 2,000 children on the Exchange. If your group promotes the placement of a few children each year, you are doing well.

2. THE ORGANIZATIONAL STRUCTURE OF CITIZEN ADOPTION GROUPS

THE COMMITTEE

When the entire membership is the same as the governing body, we may refer to the organizational structure as a committee. There may be a few officers, such as chairperson and secretary.

A simple committee structure is ideal for a small number of active people. There is little organizational work involved and a limited number of available work hours can be devoted directly to goal achievement.

A committee can form as a substructure of a larger group, perhaps a corporation with interests broader than adoption/foster care, and it can combine the talents of many people, from different civic or service groups.

THE BOARD

When the entire membership is larger than its governors, which the membership elects, the governors are called a "board" or "board of directors". The board usually elects its own officers from among board members. This organizational structure is an appropriate choice when there are too many members to form a workable committee (more than about 25 members) and when some members prefer to let the more active members govern.

Sometimes the board hires staff, such as an executive director, assistant director, secretary, and consultants, the latter usually to perform specific short-term tasks. The staff can implement specific programs or the entire organization program, allowing the board to advise and monitor staff and to do some or all of the fund raising.

SUBCOMMITTEE STRUCTURE

When it is difficult to hold a group together because members are scattered geographically and there are not enough members to form separate groups, the organization can establish a central controlling board or committee with a separate subcommittee in each geographic region. A coordinator of subcommittees and newsletter articles about subcommittee activities will provide linkages with the center.

HOW TO INCORPORATE

An organization may decide to incorporate for several reasons: Incorporation gives the organization permanence and status. It protects individual members from financial and legal responsibilities of the whole organization. This means that if the corporation is sued or it goes bankrupt only the assets of the corporation may be lost. The assets of individual members may not be touched to make up a deficit. The interposition of a corporation, however, will not protect an individual from his own negligence, only from the negligence of others.

In order to incorporate, you should contact the services of a lawyer. You will need to write by-laws and file them with the Bureau of Corporations, 162 Washington Avenue, Albany, New York 12208. Approximate expenses involved are:

- Lawyer: no set fee - can range from 0-$300

- Filing fee: $60, payable by certified check, money order, or attorney's check, plus $10 if the filing has to be transferred to the county in which business office is located

- Corporate seal: available from a legal stationery house for approximately $10.50

Once you are incorporated, you will receive a filing receipt. The original certificate of incorporation is kept on file and you receive a copy at $.50 per page plus $2.00 for certification of the copy.

Before incorporating, consider whether you wish to be a non profit corporation. Certain benefits are granted to non profit corporations, such as the right to receive contributions that are tax deductible and to use least expensive bulk mailing rates. The disadvantage to having such status is that non profit groups may not lobby. The definition of "lobby," however, is not clear. It seems to mean an overt, aggressive attempt to influence legislation. One can still "educate" rather than "lobby" by offering opinion and information and responding to requests for such from legislators. Many non profit corporations write memos in support or opposition to bills, but they do maintain some objectivity and try to state both sides on an issue. And, of course, individuals who learn about the status of bills from their group may lobby as individuals as they please.

If you choose nonprofit status, and you wish to apply for tax exempt status later, be sure to write appropriate clauses into your by-laws prohibiting illegal actions, such as:

> "Not withstanding any other provisions of these articles, the corporation is organized exclusively for charitable, educational, religious, and scientific purposes as specified in section 501 (c) (3) of the Internal Revenue Code of 1954 and shall not carry on activities not allowed by a corporation exempt from federal income tax."

Include a clause to direct that should the organization dissolve, its assets will be distributed for a tax exempt purpose, such as to a related tax exempt organization. Also be sure that there is nothing illegal about your name. Check with your state Bureau of Corporations to insure that your name does not duplicate or contain the name of another organization. Request IRS publication #557 from your nearest Internal Revenue Office for details.

TAX EXEMPT STATUS AND NUMBER

After completing the incorporation process, you will want to get clearance for tax exempt status from the Internal Revenue Service. You may request publication #557 and filing form #1023 explaining how to apply from your nearest IRS office. Send a copy of your incorporation papers including by-laws and form #1023 to the Internal Revenue Service at EP/EO Division, P. O. Box 3200, Church Street Station, New York, New York 10008. Include a cover letter requesting IRS tax exempt status as an education organization under Section #501 (c) (3) of the Internal Revenue Code. You must attach statements and documents to Form #1023 showing that your organization will be operated exclusively for educational purposes, no part of the organization's earnings will inure to private shareholders or individuals, or your organization will not as a substantial part of its activities, attempt to influence legislation or participate in political campaigns. Note that in order to receive retroactive tax exempt status back to the beginning of your organization, you must file for tax exempt status within 15 months of organization.

You will also be required to submit an employer identification number with your request for tax exempt status, whether you hire anyone or not. Obtain the SS-4 form for employer ID application by calling your local IRS office. Your employer ID number becomes your tax exempt number upon receipt of a determination of your tax exempt status.

If you are a Coalition with many member organizations, you may apply for a group exemption letter, which would recognize the exemption of member organizations as well as the central organization. See IRS Publication #557 for further information.

If your group as a whole does not qualify for tax exempt status, you may establish a separate fund for charitable or educational purposes and apply for tax exempt status for that fund. Inquire at your local IRS office for further information.

Organizations obtaining IRS tax exempt status may receive tax deductible contributions. Such status is a prerequisite to applying for exemption from paying state sales taxes. Apply for New York State sales tax exemption on form #ST-119.2 obtainable from New York State Sales Tax Bureau, Income Tax Bureau Building, Campus, Albany, New York. You may also apply for exemption from paying phone and gas tax by requesting form #ST-119.1 once you are approved on your application (ST-119.2), filling it out and giving it to your phone company, suppliers, etc.

A federal tax exemption number is necessary on your application for a bulk mailing permit. You may obtain an application for a bulk mailing permit from your post office. It allows you to mail large quantities of identical printed items, such as newsletters, at minimal rates.

Finally, organizations having IRS tax exempt status do not have to pay Social Security or U. S. Unemployment Tax on hired staff.

FORMS TO FILE

Every organization exempt from Federal Income Tax under Section #501 (c) of the Internal Revenue Code must file an annual information return on Form #990. An organization having gross receipts less than $5,000 annually need not file. File Form #990 on or before the 15th day of the fifth month following the close of your organization's accounting period with the IRS center, 11601 Roosevelt Boulevard, Philadelphia, Pennsylvania 19155.

If you have solicited more than $10,000 and/or hired a fund raiser, you must register with the State Board of Social Welfare Charities Registration Section, Office Tower, Empire State Plaza, Albany, New York 12243 and file an annual report with them. Check to see if you must also register with the Attorney General's office in Manhatten.

INSURANCE

Groups should seriously consider buying multiperil insurance because even though an organization might be incorporated, in certain circumstances individual board members and officers can be held personally liable for accidents and the like. The approximate cost of $300,000 liability multiperil insurance to cover every gathering of twelve or more people (not individual activities) is $39/year for a group with one hundred members and $89/year for a group with 350 members.

3. HOW TO GET STARTED

THE INITIAL MEETING

In order to build your organization, write a sample letter to send to potential members:

To all persons concerned about children waiting for adoption:

A meeting will be held to form a citizen adoption group at _____ _____(place).

Date:

Time:

Location:
(directions)

Problems to discuss: (list them)

Please come and tell us what we should do about these problems.

Signed,

Address

Phone

Send the letter to adoptive parents, foster parents, applicants for adoption or foster care, reporters, child care professionals that might be supportive, interested citizens in other organizations, such as the Easter Seal Society, Crippled Children Society, Kiwanis, and Rotary Clubs.

Ask child caring agencies to send the letter to adoptive and foster applicants and parents. In addition, place an ad in your daily and weekly newspapers and community advertising handouts, write a letter to the editor, and issue a news release.

You can also contact the program director of radio and TV stations for time on interview and/or talk shows and send information on the first meeting to the media's "Community Datebook" for announcement. You can also put up notices/posters in supermarkets, libraries, laundromats, post offices, YMCA, etc. and ask pastors to announce the meeting from the pulpit and ask church societies to spread the word.

To arrange the initial meeting you might follow these steps:

- Arrange an organizational meeting place.

- Decide on the format of the organizational meeting. A panel might clarify the issues and positions. Participants could be a local agency adoption worker, supervisor, and/or commissioner, an adoption applicant or parent, a county representative, a state agency representative, a concerned legislator, and an informed child advocate such as a state coalition representative.

- Try to get together a small organizational committee to form the group. Include a few community influentials, and use their names in press releases and to sign invitations. Perhaps appoint one as honorary chairperson of the organizational committee.

- Invite the speakers. Send a follow up confirmation letter.

- Invite special influential people (church leaders, legislators, agency personnel, funders).

Sample letter to influentials:

Dear_____

Because of your leadership in our community, we invite you to attend a public meeting that will affect the lives of many children waiting for adoptive homes.

This meeting will be held on _____(date and time) at_____(place).

Participants in a panel discussion will be:

We hope to begin to identify barriers in our community to adoptive placement of waiting children and to formulate a concrete plan of action to remove those barriers and increase adoption placements.

Please join us in this effort to find homes for waiting children.

Yours truly,

- Plan displays for the meeting, such as brochures and posters, and plan for lunch or coffee as needed.

- You may want to prepare a volunteer sign up sheet to assess interests of attendees.

Sample volunteer sheet:

Name:

Address:

Phone:

Problems I would like to work on:

Jobs I would be willing to do:

Speaking -	Publicity -
Legal research -	Membership development -
Writing -	Family and Child Funding -
Clerical -	Other -

During the meeting:

- Assign volunteers to greet people and give a special welcome to speakers and important guests.

- Be sure to allow plenty of time after speeches for questions, discussion, and formulation of action plans. Determine goals and activities. Keep in mind that the primary goal is getting more waiting children into adoptive homes and that the activities of the group must support and reflect those goals.

- If the group is ready, pick a name. Choose a name which includes all the membership you want to participate, e.g. Council on Adoptable Children (COAC) invites adoptive and foster parents; Adoptive Families Organization indicates only adoptive families.

- Appoint a nominating committee to propose a slate of officers at the next meeting.

After the meeting:

- Thank the speakers and honored guests for attending. Send a notice of the next meeting to all interested parties and frequent written updates on developments. People will lose motivation quickly if they do not hear from you.

- The nominating committee should prepare a slate of officers to propose at the next meeting. Sometimes groups are governed by an organizational committee for a few months until everyone knows each other well enough to make good choices for officers.

- Order Adoption Listing Service Books for information on waiting children (New York State Adoption Service, 2 World Trade Center, New York, N. Y., telephone 1-800-342-3710(for toll free information). Have them available at adoptchats and meetings.

OFFICERS

Some citizen adoption group officers and their responsibilities are:

- President or chairperson - presides at meetings and generally oversees the organization.

- Vice-President or Vice-Chairperson - presides in the absence of the President. This person may also assume a committee chair.

- Recording secretary - takes minutes at meetings.

- Corresponding secretary - writes letters. This position may be combined with the recording secretary.

- Treasurer or finance manager - receives income, makes disbursements, handles financial record keeping, and files required financial reports.

Committee chairpersons which may be elected but are usually appointed by the president:

- Nominations - prepares a slate of nominations for presentation at election meetings.

- Fundraising - raises money to pay organization expenses. This position may be combined with Treasurer.

- Membership - seeks new members and steers them toward active, continuing roles. This person maintains an up-to-date membership list, may hold adoptchat orientation sessions for new or prospective members and may collect membership dues.

- Goals - assesses and formulates short term and long range goals for the organization.

- By-laws - writes and revises by-laws as needed.

- Public education - maintains a publicity contact file, informs the public about general adoption information, issue positions, and specific children in need of adoption. This person mails notices of meetings, special events, and fund raising to newspapers, radio, and television stations and maintains a Speaker's Bureau. There may be a separate chairperson of the Speaker's Bureau.

- Recruitment of adoptive/foster parents - works with or combines with public education committee to recruit and counsel prospective parents, chairs adoptchat information meetings.

- Legislation and administration - in consultation with the board, informs members and the public about legislative and administrative developments related to the organization's goals, acts on developments within the existing legal restrictions, and provides individuals with information to act upon as they wish.

- Publications or communications - writes and publishes newsletters, brochures, etc.

- Mailing - mails newsletters and other publications. This position may be combined with Publications.

- Librarian - keeps and actively encourages borrowing of literature owned by the organization and keeps a scrapbook record of the organizations' activities, including newspaper clippings.

- Child finding - locates children in need of adoption, maintains and circulates adoption listing books, invites prospective parents to view listing books in an adoptive family's home.

- Program - plans and manages programs. This position may be divided between educational and social events.

- Coalition - represents the organization in the state coalition of groups, promotes group participation in Coalition activities, and informs the group about Coalition news.

- Agency liaison - promotes a cooperative working relationship with child care agencies and with others working in child care.

- Monitoring and grievance - receives and reviews grievances involving applicants, parents, children, and agencies, advocates problem resolution, maintains monitoring records of agencies, and, in consultation with the board, pursues resolution of problems with the appropriate agency and state supervisors.

- Babysitting - maintains a committee to provide or share babysitting for parents working for the organization away from home.

A word of caution: Most organizations have only a few of the above committees. Also, do not make the formal establishment and maintenance of committees your goal. What the committees do for children is more important than the formalities of meeting to give committee reports. Also, one committee achieving goals is worth more than thirteen going through the motions of attending meetings.

BY-LAWS

Once officers and chairpersons are selected and goals are set, the organization will want to write basic rules or by-laws to promote smooth, dissention-free functioning. These by-laws may be as simple or elaborate as you wish. An example based on the by-laws of a Kingston, New York, group follows this section.

Incorporation papers, registrations, and tax exemption should all be taken care of early.

Remember that if you wish to operate a small committee with limited goals, many of the above organizational tasks do not apply.

Example of By-Laws

BY-LAWS FOR A CITIZEN ADOPTION/FOSTER CARE GROUP

1. NAME

(a) The name of the organization shall be: PARENTS AND CHILDREN TOGETHER.

(b) The official abbreviation shall be: "PACT"

2. PURPOSE AND FUNCTIONS

(a) To encourage the adoption and foster care of children without regard to race, religion or ethnic origin, cultural background, age, physical or mental condition. Encouragement shall include the sharing of experiences and education of society and the individual to the merits and workability of such adoptions and foster care in providing children with permanence and continuity of parental care in family experiences.

(b) Said corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law). No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

3. OFFICERS

(a) The principal office of PACT shall be at 28 Tietjen Avenue, Kingston, New York. PACT may maintain or authorize offices in other locations.

4. MEMBERSHIP

(a) Membership is open to all persons endorsing the purposes and goals of the organization.

(b) There will be an annual membership fee, the amount to be determined by the Board of Directors.

(c) A voting member shall be defined as an individual who has paid his annual membership fee.

5. POLICY

(a) No individual person may speak for the organization on any matter unless said comments or policy have been approved by the Board of Directors as provided herein, or unless the Board has authorized said person to proceed at his discretion.

(b) Any policy statements made on behalf of the organization without authorization shall immediately be reported to the Board of Directors.

6. ELECTION OF THE BOARD OF DIRECTORS

(a) The Board of Directors shall consist of eight members.

(b) The directors shall be elected from the membership at the annual meeting of the organization and may succeed themselves.

(c) The directors shall serve for two years. Vacancies occurring on the Board of Directors shall be filled for the uncompleted term by appointment by the remaining members of the Board.

(d) No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Second hereof.

7. DUTIES AND FUNCTIONS OF THE BOARD OF DIRECTORS

(a) The responsibility for the administration of PACT between meetings of the membership shall be with the Board of Directors.

(b) The Board of Directors is responsible to the membership. It shall carry out the provisions of the By-laws and, in addition, shall

(1) devise such organizational units as chapters, committees, advisory boards and the like which shall benefit the purposes and administration of PACT.

(2) adopt rules and regulations not inconsistent herein and establish policy not set forth elsewhere in the By-laws.

(c) The Board of Directors shall hold at least four meetings each year.

(d) If a Board member is not present at three (3) consecutive board meetings or fails to perform the functions of his office, he will be requested to show cause to the board. The board members will then vote to determine his eligibility to remain a board member.

(e) Five (5) directors shall constitute a quorum at meetings of the board.

(f) Upon the dissolution of the corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Trustees shall determine.

8. OFFICERS

(a) The officers of the organization shall consist of a President, Vice President, a Secretary and Treasurer, to be chosen from the Board of Directors and elected by majority vote of the board. Such officers shall continue to serve in their respective offices for a period of one year or, at the pleasure of the Board of Directors and until their successors shall have been elected by the Board.

9. DUTIES AND FUNCTIONS OF THE OFFICERS

(a) The President and Vice President shall direct the activities of PACT.

(b) The Secretary shall record and report the minutes of the organization and board meetings. He shall maintain the official records of the organization.

(c) The Treasurer shall have responsibility for administering the financial affairs of the organization and reporting the status of funds and assets to the board and membership.

(d) The officers shall have, in addition to any specific powers and duties herein provided, the powers and duties normally incident to such officers.

10. REGULAR AND SPECIAL MEETINGS

(a) Regular meetings of the organization shall be held at least four (4) times annually, on such dates and in such places as may be set by the board. Special meetings may be called at any time by the President.

(b) PACT shall hold an annual meeting of the organization during the month of September, at a time and in a location established by the Board of Directors.

(c) The President shall preside at meetings of the organization and of the Board of Directors. In his absence, the Vice President shall preside in his place. In the absence of both the President and Vice President, the President shall have appointed a board member to preside.

(d) One third (1/3) of the members present, in person, shall constitute a quorum at meetings of the membership.

11. FISCAL YEAR

(a) The fiscal year of the organization shall begin on September 1st of each year and end on August 31st of the following year.

12. RATIFICATION AND AMENDMENTS

(a) These By-laws shall be ratified by majority of the membership and shall take effect from date of adoption.

(b) Amendments to the By-laws may be made, in writing, at any regular or special meeting of the organization. Amendments must be ratified in the same manner as the By-laws.

13. RULES OF ORDER

(a) Robert's Rules of Order, as most recently revised, shall be the authority for procedures in all cases where they apply, to the extent not inconsistent with the By-laws.

HOW TO INSURE GROWTH OF THE ORGANIZATION

Citizen groups often form to solve a particular problem, and once that problem is solved, it is very easy for the group to die from apathy. However, there are bound to be many additional problems in the child care field, and the group should simply take on another one. Or it might identify and provide a needed ongoing service.

There are several other steps you can take to insure the growth of the organization:

- Limit your activities to what you can do well with your present resource people. Attempting too much creates strain and limits effectiveness and growth.

- Be sure you have information and facts to back up statements and concerns. Members will develop trust in one another, but statements reflecting the group's views should be made with caution, backed by fact. Watch for situations which may tarnish your credibility. Your credibility will be one of your most valuable assets and sources of power to act when necessary.

- A group can appear to function effectively without meeting the goals of promoting placement of children. At the same time, a group can do positive things to get children placed without elaborate organizational structure. Be careful to devote your energies to the real goals rather than to the appearance of such.

- Try to solve interpersonal problems quickly and fairly, remembering that there is usually a place for everyone in the group and almost never should anyone be excluded.

- Choose your leaders carefully from among the committed hard workers. Do not choose non-workers just because they have professional titles. Leaders should be able to delegate tasks, motivate people to work, promote ambitions and ideas besides their own, analyze and solve problems, and reach goals in the child care system.

- It is essential to attract new active members. They can be recruited by observing the following principles:

    - At every opportunity, welcome new members openly. Do not allow your group to form exclusive circles.

    - Keep a list of potential actives and their job interests. Give them jobs as early as possible and continue to use them or you will lose them.

    - Ask people to work. Many would rather be asked than volunteer.

    - Keep everyone informed of project developments and achievements.

    - Motivate your workers by showing personal interest. Relate their jobs directly to important goals, their special skills, and their personal professional future.

  - Reward with recognition in publications or speeches, in personal thank you notes, in speaking with important people, and in special award sessions.

  - Do not overwhelm workers with too much work at once.

  - Involve others in the decision-making process so that they will be engaged during the action.

  - Find ways to reimburse or cut expenses of volunteers.

- Form liaisons with other groups and individuals with similar goals. Service clubs, political party workers, churches, and reporters might be very useful as liaisons.

- Invite potential liaisons to meet with you in order to form a working relationship.

- Do not commit such leadership mistakes as insulting a member by delegating a task to him and then to another person "to make sure it gets done," creating stars who are envied and attacked by jealous members, engaging in personal attacks, allowing differences on organization and issues to simmer rather than discussing them, ignoring apathy which may actually be silent disagreement with goals.

4. FUNCTIONS OF CITIZEN ADOPTION/FOSTER GROUPS

Do not be overwhelmed by the number and variety of activities listed here. Activities should be limited according to the resources of the group. Choosing only one activity and doing it well may result in many adoption placements of children.

PUBLIC EDUCATION

In order to inform the public about children in need of adoption, administrative and legislative issues, group priorities and activities, etc., the group might want to set up any of the following components of a public relations program.

Informational Programs

It is important to structure informational programs so that there is a persistent, ongoing presentation of material to educate your group members and the general public to the issues of childcare, the availability of children, the need for parents, and the need for action.

The program chairperson should be responsible for, but not limited to the following:

- Developing the year's program which covers as many informational topics as possible, in a varied way. It is only necessary to have the beginning of an idea for setting a program outline or drawing up a list of topics. Details can be worked out later.
- Informing the membership of the planned programs so that they can set aside the dates.
- Keeping a record of the planned programs so that future chairpersons can avoid duplication, or repeat worthwhile programs at regular intervals.
- Arranging for meeting places, and any necessary special equipment (projectors, chairs, microphones, etc.).
- Connecting the organization's program with community projects and events where possible. For example, joining community displays, library, church, community college programs, connecting with elections, designated holidays, governmental proclamations, etc.
- Preparing material for distribution at meetings to encourage educated discussion periods.
- Procuring the persons most capable of presenting the information on a given topic. Using local talent where feasible, and importing speakers when their presentation would be more valuable.
- Including local childcare professionals as resources on given topics.
- Coordinating with your designated publicity person for obtaining appropriate coverage before and after meetings.
- Following through on development of program suggestions made by the membership or dictated by a major event in the childcare arena.

Here is a list of possible program topics to get you started:

Introduction of the local Social Services Staff

Panel discussion on handicaps (recognized authorities/parents who have adopted)

A review of the court structure and childcare laws (include lawyers, judges, legislators)

The Family Court - what it is and what it does

Discussion of books on adoption (specific books/authors)

Parent recruitment (how to/why it is necessary)

The role of various organizations (churches, schools, civic groups)

The concept of parenting - methods of learning to parent

Identifying the decisionmakers (local/state/federal)

National and state adoption programs/citizen organizations/supportive services

The adoption process

Transracial adoption

The role of the citizen group

Childcare attitudes (historically, within the system, in society generally)

A panel of adopted adults

Parent/agency/child relationships

The myths and realities of adoption

Politicians' night (to learn the views of those running for office)

Preparation for adoptive parenthood

Public Relations Through Media

Your organization will want to develop and maintain an on-going relationship with representatives of newspapers, radio and television stations in order to accomplish the following objectives:

- Educate the public to the numbers of waiting children. Encourage, inform and recruit parents.

- Recruit more members for your organization

- Enlist the aid of other organizations to further your efforts

- Make the general public aware of how the present adoption and foster care system functions both at state and local levels and possibly enlist public pressure for reform

- Publicize planned events and insure good attendance

- Let the public know of your activities and the results of any research you have done

- Solidify other groups to join in support of achieving your goals

Each group should have one individual who serves as publicity chairperson. If your group is large and your plans extensive, a committee may be needed to help.

The publicity chairperson should be responsible for the following:

- Compile a list of area newspapers, radio and television stations with a specific contact person at each place, address, telephone number.

- Maintain a file on your group and Coalition, so you have ready reference materials. Save clippings, news releases, brochures. Keep a card file on television and radio coverage complete with reporter's name, date and quality of coverage

- Issue news releases. Make sure that a second person edits the releases for errors

- Agree with other members of the organization on a policy of clearing releases and statements before sending them out to media representatives

- Consult with media chairpersons of nearby groups to make sure that you are not, for example, trying to work at cross purposes to get the same TV spot on a station that covers both your home areas

- Send out routine meeting notices in time to meet media deadlines

- Contact editors or reporters personally for feature or news stories

- Watch news broadcasts as well as clip stories from local papers on your organization

- Write letters thanking reporters for good coverage of your organization. Send a carbon copy to the editor at newspapers and to the news director at TV and radio stations

- Arrange for public service spots on radio and TV stations through the Community Relations Director of one or more stations

- Set up appearances on talk shows or interview segments of noon news

- Be familiar with the basics of how to write a news release, etc.. See S.& H Publicity Handbook for more information

How to obtain newspaper publicity

Mention your plans to agencies, and parent groups in your area to avoid duplication of effort.

Think in terms of establishing an on-going working relationship with local newspaper people.

Remember, there are three kinds of presentations you'll generally be dealing with, possibly three different people at the newspaper.

Feature articles - human interest pieces that have no set date for publication. These are usually handled by the Sunday, the Lifestyle or Family Editor.

News articles - stories where the time element is important, e.g. a well-known child care advocate will speak to your organization. These are usually handled by a city or suburban editor.

Routine meeting notices - these generally appear in a once a week column, e.g. "What's Going On". Don't overlook these columns as they are an easy way to keep your organization's activities before the public in a regular listing. Find out who is in charge of this column and get your notices in at least a week in advance.

Investigative articles - a fourth category where a reporter is given tips to write an exposé. This is an area that should be entered rarely and after very careful deliberation.

Feature articles

- Before you call the feature editor, have a list of possible suggestions for stories with names of people who have already consented to be interviewed and photographed.

  To publicize adoption week, for example, call the editor about a month in advance with story ideas like:

  A family who has adopted a child. What's it like from the child's, parent's and siblings' points of view?

  A day in the life of a case worker who has done some outstanding work in placing children.

  A profile of a family court judge from your area who has forward looking ideas regarding the adoption/foster care scene.

  A story on family's preparations for Thanksgiving that include a recently adopted child.

- You must have a human interest or news angle to interest editors rather than merely telling them Adoption Week has been declared by the President, the Governor, the Mayor.

- Try to get a definite commitment from the editor over the telephone for doing a story. If that doesn't work, ask for an appointment to see him and bring your brochure, the photo listing book and other materials that will quickly convey your objectives to the editor.

- Do leave background materials like yours or Coalition's brochure that the reporter will want to use to round out the article.

- Do supply the reporter with a contact person's name and telephone number to be included in the article, so readers interested in adoption may call for more information.

News articles

- Contact your city or suburban editor at least a week in advance of the event. Explain why the event is newsworthy, e.g. a nationally-known expert in adoption is coming to your area for the first time to discuss current issues. Stress a local angle, e.g. many parents, agency personnel, officials are interested in this issue. They agree or disagree with that person for "X" reasons.

In addition

- Supply the newspaper reporter with a telephone number and name of a contact person to be included in any feature article, so he may call you in the future as a source of information on child welfare issues.

- Be aware that newspapers are always looking for fresh new angles on issues. Don't be afraid to approach them with your ideas, e.g. suggest a weekly series, "A Child is Waiting," if you can provide pictures and descriptions of waiting children and have obtained proper releases.

Investigative pieces

- Don't look to the press as a means of fighting your battles.

- Try to take the offensive by finding a positive solution to a problem.

- Discuss problems with proper officials first on local, and, if necessary, state level.

- Go to an editor or reporter with leads for an investigative piece only if you have exhausted all other channels and need to rouse public opinion to your side in order to get action.

- Remember to direct a reporter to examine and criticize an entire system, not an individual.

- Remember, however, once you have given the reporter some leads, he has control over the finished story. The most sensational details will be emphasized. The story may not appear as you envisioned it in the beginning.

Letters to the editor

Don't overlook this simple and effective way to keep your group's name in the public eye. Write a concise, and to-the-point letter to the editor whenever, for example, there's a piece of legislation you support or a successful program you want to praise. Be sure to include the name of your organization underneath your signature.

Helpful hints

Do write a note of thanks to reporters who've given your group coverage. Send a carbon copy to the editor of the paper.

Don't ask for free copies of articles.

Sample feature article:

A child is waiting

PUMPKIN

Theresa, affectionately known as "pumpkin", is a lively seven-year-old with a smile as wide as her face. She is very warm, loves to be cuddled and is out-going with strangers. Right now she is learning to ride a bicycle, but she also likes games, puzzles and pets.

"Pumpkin" has lived with the same foster family since birth and was just recently surrendered for adoption. She is slightly apprehensive of the prospect. She is a physically frail child whose asthmatic condition has placed restrictions on activities and thus hampered physical and mental development. Her health, however, has improved steadily since infancy and in recent years she has made great progress in learning to write, count and speak properly.

This child needs a family with the following characteristics:

Patience, understanding and tolerance for a child who has been pampered because of her physical infirmity. Her health is stable at the present time.

Parents who have time to spend with her in remedial learning activities.

Parents who live in an area where there is access to professional services to help her in problem areas such as speech therapy, and who will provide the initiative to make use of these services.

If interested in adopting this child or another, contact the Regional Adoption Program at 462 - 6686.

The Regional Adoption Program is a demonstration project of the Albany Home for Children, funded by Welfare Research, Inc., an affiliate of the State Department of Social Services.

The Regional Adoption Program coordinates adoption placements for "hard - to - place" children in a 17 county area surrounding Albany. These children are generally older, some have educational disabilities as well as physical handicaps. All need and want homes.

Some examples of Coalition members' success with newspapers :

PACT

- PACT had a three-part story in their local newspaper on their organization, the shortcomings of legislation and the agencies' role in adoption. This series brought very good response.

- They also announced in their local newspaper a speakers' bureau showing their willingness to speak to other groups.

FACT

- FACT reported that they were written up in the newspaper several times. The first time had to do with the problems of adopting. (Ex. homestudies not being done, the unwillingness of agencies to work with single people, the N. Y. S. Exchange, etc.)

- The next time FACT was featured they ran pictures of children who were being adopted along with their parents and an article on them. This was very successful. Many prospective parents showed up at their next meeting which was held the night following the article. (The timing could have been very significant.)

- FACT has also been running a small ad in a small advertising newspaper. This has brought many, many calls. (Ex. Are you interested in adopting American, Korean or Vietnamese children? Call one of these numbers, etc.)

Council of Adoptive Parents

CAP ran a "Thursday's Child" series which featured a waiting child and a profile on him. Along with the adoption agencies' telephone number, two CAP telephone numbers were also supplied. CAP reports that all of the children were placed who were featured in this series. They also ran a follow-up article about some of the placed children and the homes in which they were placed.

COAC-Rockland County

- This COAC group writes a lot of letters to the editor to keep their name and their views before the public.

- They also have a local reporter who mentions COAC nearly every time there is an issue on children and frequently quotes (or misquotes) them. COAC feels this has been invaluable to them and one of their best referral sources.

When and how to hold a press conference

When

- Don't hold a press conference unless you have something very newsworthy to announce. For example, maybe your group has done an extensive study in your county to learn how many children need homes. You've found the number is huge. You've some recommendations and agencies have agreed to work with you toward accomplishing some concrete goals. Make sure the agencies know of the press conference and are invited to take part.

- Don't use a press conference as a hammer. Discuss your goals and desire to work with officials in positive terms, e.g. maybe you're announcing a citizen backed effort to work with a social services department to seek more funding from the legislature.

How

- Decide upon a location that will provide media representatives, particularly T. V., a background, e.g. group's headquarters, legislative office, children's home.

- Distribute a press release a week in advance telling the who, what, when and where. Call two or three days before the event to remind and try to get a firm commitment from them to attend.

- Prepare another release for distribution the day of the press conference. Give further details on this release and some direct quotes from an officer of your group.

- Appoint one individual from your group as spokesperson.

- That person should concisely and clearly brief the media representatives and allow time for response to their questions.

Helpful hints

- Hold the press conference in the morning of a week day. Skeleton crews only are working weekends. Morning is best to allow T. V. reporters time to make their deadlines for evening news.

- Have copies of your group's brochure and if you've produced a report as a result of research, provide copies of that also.

How to prepare a brochure

- Assemble existing brochures of organizations with similar or the same purpose as yours.

- Study their format. Decide how the information regarding your organization could be condensed and organized.

- Write down the goals of your group, the problems it is tackling, how to join, a telephone number and address where prospective members can seek further information.

- Organize the information in a series of parallel constructions, i.e. provides materials, offers help, serves as an advocacy group. Decide which categories of information will appear on each panel of the brochure.

- Make a type-written mock-up or sample to take to printer for cost estimate. Choose a convenient size for mailing, e.g. one sheet of 8-1/2 X 11" paper folded into thirds. Get estimates from several printers as prices vary. Make sure to choose a quality of paper that is heavy enough so the printing from one side does not show through to the other.

- Choose a reproduction process best suited to your finances:

  Ditto or spirit duplicator: This method is the cheapest but is good for only 100 to 150 copies.

  Mimeograph: With this method you can use stencils to mimeograph copies of photographs as well as printed or typed material. Good for 500 to 1,000 copies.

  Offset lithography: With this method you can have reproduced materials you have typed or had set in type plus drawings. Good for unlimited number of copies.

  Letterpress: This is the most expensive method and is used for large numbers of a publication.

- Don't try to cram so much information on your brochure that it looks "busy" and is a chore to read. Use larger type at the top of each page or as subheadlines when you want to break up a big paragraph.

Helpful hints

- Check your list of resource people in the community before undertaking this project. There may be a public relations person or firm who would contribute their services.

- Get a definite commitment from the printer concerning the date the brochures will be ready. If you need them by a certain date, tell the printer, you need them a week in advance of that date to insure they'll be done.

- Always maintain a supply of brochures as they will often be used in conjunction with other events, like mall media displays, talks before other organizations, conferences, or general publicity purposes like distribution in local libraries, pediatricians' offices, churches.

- Have a committee examine the mock-up for errors or omissions.

- Use Coalition's brochure as well. A sample brochure follows.

Do you remember when you were age six or ten? How would you have felt without parents?

The Citizens' Coalition for Children affirms that children who can benefit from family life are adoptable and that adoptive homes can be found for waiting children. Special efforts, however must be made to place today's available children.

It is essential that we make special efforts...

- to allow children to form the secure, uninterrupted parent-child relationship necessary for healthy psychological development
- to save our state $300 million each year in foster care costs

Citizens' Coalition for Children
112 State Street, 1120A
Albany, New York 12207
(518) 462-4569

Uniting New York State citizen adoption and foster care groups to promote permanent homes for children.

Adoptive Families of Westchester

Adoptive Parents Committee of New York State

Cayuga County Foster Parents Association

Council of Adoptive Parents, Allegany County

Council of Adoptive Parents, Rochester

Council on Adoptable Children, New York City

Families for All Children Today, Binghamton

Hudson Valley Adoptive Families

Open Door Society of Long Island

Organization of Foster Families for Equality and Reform, Long Island

Parents and Children Together, Kingston

Citizens' Coalition for Children, Inc.

DID YOU KNOW THAT...

Nearly 50,000 New York State children live in foster homes, group homes or institutions? Of that number, an estimated 16,000 should be adopted or returned to their biological homes. Of these, 2,000 are legally free for adoption and awaiting a permanent family.

Many of these children are minority race, school-age and/or handicapped. They need families and many families need the joy and love these children can bring them.

Very few of these children are placed for adoption because of so many barriers between them and permanent homes, barriers such as:

- lack of public awareness
- financial disincentives to moving children out of foster care
- negative attitudes about the adoptability of these children
- lack of available training and support for parents and caseworkers in making difficult adoptions work
- need for increased financial and program commitment to children's services

COALITION OFFERS SERVICES TO MEET THE NEEDS OF WAITING CHILDREN AND PARENTS

Training and aid in forming citizen adoption/foster care groups through publications and workshops.

Consumer viewpoint for decision makers in the child care system through meetings and membership on various committees and boards.

Information referral on many child care issues, programs and available services.

Up to date information through bimonthly news bulletins and frequent internal memos and packets to member groups.

Use of media directly and through training of member groups to bring children's needs to public attention.

Systematic training program for parents and caseworkers in difficult adoptions.

A network of adoptive parents who share experiences and provide mutual support.

Coalition is supported by a Title IV-B Grant from the New York State Department of Social Services.

For Groups:
Please send information about joining Coalition. ☐

For Individuals:
I would like to subscribe to Coalition bimonthly New Bulletins. Enclosed is $15 subscription. ($5 for members of member groups.) ☐

I wish to make a tax deductible contribution, grant, or bequest to Coalition. ☐

I can volunteer services or materials to Coalition. ☐

Name _____ Address _____

Affiliation (group, agency) _____ Phone _____

Tear off and mail to: Citizens' Coalition for Children, 112 State Street Rm. 1120-A, Albany, New York 12207

How to Prepare and Give a Speech

- Know your audience. Are you trying to recruit new parents or are you seeking to publicize waiting children's needs to an organization that might offer volunteer hours or donate money? Know your purpose, e.g. what level are you trying to reach?

- Be thoroughly familiar with the topic so you can answer audience's questions. If you're asked a question, you can't answer, promise to get the answer to the questioner as soon as possible. Follow through.

- Review all your organizations and others' media materials. Look over old speeches and rework them to your use.

- If you feel more comfortable, outline or write out and rehearse the entire speech. Break up into several main points and key statements and write them down on note cards and speak from them. Look at the audience; avoid reading to them.

- Provide the audience with opportunities to become involved in your talk. Ask questions. Provide time for them to join your effort if you feel it appropriate at the time of talk.

- Leave the audience with a clear message of what action you'd like them to take, e.g. write a letter to legislators, join your organization, make a contribution, consider adoption.

- Provide promptly any follow-up information requested by the audience.

- Keep a record for your organization on the group you talked before, their level of interest, contact person's name, etc.

Helpful hints

- Define purpose of speech

- Know level of audience
  re: knowledge, interest, sophistication/ability to involve themselves in the cause

- Preparation
  - Statistics to include
  - Ideas to consider/points to be made
  - Actions to be taken/ways of involving

- Delivery
  manner consistent to occasion
  reference to occasion
  presentation of prepared spiel
  question period

- Follow up
  mailing list
  general information to be sent
  response to specific questions
  referral to other sources

How to set up a speakers' bureau .

- Prepare a brochure describing your organization. Make sure a telephone number and name of one of your members to serve as contact person with groups interested in securing a speaker is on the brochure. Choose a chairperson who does not have too many other tasks.

- Make up a list of topics and films or slide shows that you have available for presentation.

- Obtain a list of community groups from Chamber of Commerce or Council of Community Services and mail your brochure and a letter introducing your organization and topics you are prepared to speak on. State exactly what you can offer. Obtain a listing in established speaker sources like the local library.

- Personally contact the president of groups which have particular interest in your topic, e.g. the Junior League has a Child Welfare Mandate in its program.

- Depending upon the size of your group, you may want to have one or two prepared speeches that several members are prepared to present and can adapt to their own style. Remember to tailor the speech to the organization, e.g. the Junior League may want to hear about ways they could help your organization through volunteer efforts; a businessmen 's group might want to know of materials such as office supplies, or services, such as legal or accounting expertise they might provide; interfaith councils - aid in legislation input, sermon topics - needs of kids.

- As engagements are made, confirm the arrangements by letter, giving name and title of speaker and his background; subject and length of the talk; speaker's home address and telephone in case of last minute changes.

- Send note of reminder to speaker, description of organization, name of president and program chairman, address and directions for reaching meeting place, time and length of meeting.

- Have ready a list of babysitters and means of transportation for speakers who need them.

- Keep a card file of engagements. Include comments of each speaker on questions asked after speech; and a description of the organization and its interest and alert appropriate people for follow-up.

- Leave audience with idea they can do something even if they cannot adopt - for example, they could write for legislation or become members of an advocate group - could influence and make others aware.

How to obtain and show films and other materials

- Decide which film best suits your purposes and order it at least three or four weeks in advance.

- Be familiar with the projection equipment you will be using. Set it up in advance of your public showing of the film and run through the entire film, so you'll thoroughly understand the mechanics of running the projector as well as the film's content. Make sure the screen is large enough for the size of your audience.

- Know in advance the environment in which you'll be showing the film. Be sure the room can be darkened sufficiently. Ascertain location of electrical outlets. Check to see if you'll need an extension cord. Take along a spare bulb for the projector.

- Have projector and film ready to roll before your audience arrives.

- Provide a succinct introduction to the film to set the stage for the audience.

- Depending upon the circumstances, inform media representatives of the screening, to publicize your activities. Prepare alternative plans in case the film doesn't arrive when scheduled.

Media materials available from: North American Center on Adoption
67 Irving Place New York, N. Y. 10003
Contact Ina Jorge - (212) 254-7410

Public service announcements

Television: *30 second 16mm color
"Think Adoption It Builds Families" - Illustrates older children who are white, black and handicapped (North American Center on Adoption)
Purchase price $10.00

30 second - 60 second 16mm color
"Cotton & Girl" - Black adoptive couple with their daughter (L.A. County Department of Adoptions)

*30 second - 60 second 16mm color
"Randalls & Boy" - Black adoptive couple with their son (L.A. County Department of Adoptions)
Purchase price $15.00

60:30:10 second 16mm color
"Black Pride Means Loving a Black Child: Adopt One" (SUMA, Ohio)

30 second 16mm color
"Adoption Daddy" - Black Recruitment Spot (N. Y. State Board of Social Welfare)

2 - 30 second 1/2" video cassette
"Adoption . . . The Gift of Love" Older child adoptions (So. Carolina Department of Social Service)

60 second 2" video tape
"Adoption & Foster Parent Recruitment" (Lincoln Adoption Agency, Nebraska)

Radio: *30 second reel to reel tape
"Think Adoption it Builds Families" (North American Center on Adoption)
Purchase price $10.00

60 second reel to reel tape
"Lullaby for My Brand New Child" Older child adoptions
(N.Y. State Board of Social Welfare)

60:30 second reel to reel tape
Black Recruitment Spot (SUMA, Ohio)

All spots can be previewed free of charge and reproduced by you if you so desire. * Indicates that these spots can be purchased directly from the Center.

Film catalogue

Loan information: Please read the following items carefully and thoroughly.

1. General Information

- Place your reservation as early as possible for preferential bookings dates
- List alternate titles and dates where possible
- Plan your program in advance as far as possible
- NACA will send a confirmation letter for bookings giving title and date
- If you must cancel a booked date, the cancellation by telephone or letter must be received by us five days before our shipping
- When a film is loaned, the customer guarantees that it will be used within its organization for non-commercial showings.
- Loan of the film(s) does not include broadcasting, television rights or commercial showings
- The borrower assumes full responsibility for loss or damage occurring while films are in his possession
- Films may not be rented or loaned to others by the original consignee without prior written permission
- Films will be loaned for a period of 72 hours. Longer periods of time can be arranged. The rate is $25.00. This rate is charged to cover the cost of handling, shipping and maintenance of the films.

2. Shipping

- All films are shipped to the customer at least one day in advance of the scheduled date of showing

- Shipment is made by Insured Parcel Post-Special Delivery and must be returned in the same manner. We request that the films be insured for at least $100.00.

- Return all films promptly the day following the showing. Remember another group may be expencting the film.

- Consult us by telephone if you wish to hold the films for a longer period.

3. Rental Discount Schedule

- Two to three films - 15% discount

- Four or more - 25% discount

Films

"The Children are Waiting" 35 minutes 16mm color
This film illustrates the various types of families from different socioeconomic backgrounds that have adopted the "older child"; including a single parent. Each family tells their own experience and meaning of adoption. Good for staff development and prospective parent groups.

"Adoption Disruptions" 2 hours color videotape
A good training analysis of a joint meeting between parents and staff. During the staff meeting, the participants learn from each other and discuss what they knew and felt about disruptions.

"Johnny Boy" 11 minutes 16mm color
This film illustrates the heartrending story of the older hard-to-place child. Johnny typifies the foster child who is moved from foster home to foster home. Although the film ends inconclusively with Johnny moving into a new foster home, it's message is clear . . . children need permanence. The film is <u>excellent</u> for public (foster care and adoption) consciousness raising as well as recruitment purposes.

"Kim" 1/2 hour 1/2" video tape B & W
Kim is a seven year old black handicapped girl. She has an audio memory defect. She had had two adoption failures. She is shown playing with her social worker who describes Kim's problems. Good illustration of how to use video to recruit families for special needs children; also, good for staff development.

Films owned by the Center

"Story of Red - Foster Children and Families" 20 min. 16mm color
This is a segment of a CBS documentary on how children get locked into the system. It raises the issue of termination of parental rights so that permanent planning can be done for a child. Excellent film for staff training; discussion groups and foster parent education.

"McNeil Report on Foster Care" 28 min. video cassette color
An excellent panel discussion on termination of parental rights particularly as it relates to children who have been in foster care for a long period of time. Also, available on reel to reel tape and cassette tape.

* "Mr. and Mrs. Levy" - 1 hour 1/2" video tape B & W
This couple discusses the adjustment of family life with the addition of an older child. Excellent for parents applying for older children and staff training.

Films from other sources

"A Home for Billy" - 12 mins. 16mm color
Excellent parent education and recruitment film. Although it is used specifically by the NYC Division of Adoptions, the information is relevant to any adoptive group.
Singer Della Reese narrates.

For further information contact: New York City Division of Adoptions
80 Lafayette Street, 18th floor
New York, New York
(212) 433-3492

New York State Board of Social Welfare Materials
Available from Citizens' Coalition for Children
112 State Street, Albany, New York 12207

Slide show

"Children Who Wait" 72 slides return postage charge
This slide show focuses on adopting a handicapped child.

Public service announcements*

Television: 30 seconds 16mm color
"Adoption Daddy"
Black recruitment spot

60 seconds reel to reel tape
"Lullaby for My Brand New Child"
Older child adoptions

Radio: 60 seconds
"Sara Write"

60 seconds
"Lullaby for My Brand New Child"

Posters - no charge

"Have a Child - It's as Beautiful as Having a Baby"

"How to Have a Child"

"We Just Had a 10 Year Old Boy"

(All are 8" X 11", black and white)

Photo cubes

Collapsible 3' X 3' cubes with photos of parents and children, waiting children, etc. for use at mall display or fairs. Because the size makes them unwieldly for mailing, cubes would have to be picked up at the Coalition or shipped.

*New York State Board of Social Welfare T. V. and public service radio spots were distributed in the spring of 1976. If you have not heard them on local stations, inquire with the Community Affairs Director about them. Describe your organization's efforts and your interest in having such spots aired. Check to see if the station can add your organization's name to the spot in place of the board in Albany so people in your area may establish a local contact.

The Community Affairs Department may also help you prepare and air 30 or 60 second spots on your organization. Don't be afraid to inquire about these matters as stations by law are required to do a certain amount of public affairs presentations.

How to set up a mall media display*

- Contact manager of mall or public building such as local library at least a month in advance.
    - Explain your organization
    - Ask for space on a convenient date, for example, Adoption Week.
- Organize a committee in charge of assembling information:
    - Produce a brochure from your organization.
    - Provide a description of all types of children available, e.g. the photo listing book, pictures and descriptions from different agencies in your area, posters, collapsible displays.
    - Invite social workers from agencies in your area to help - not to solicite for their agency but rather, to provide valuable information to prospective applicants.
    - Get to know each agency and their requirements.
- Form a committee to staff the information booth.
    - Have at least two nights of training for this project with individuals so that they are sure of their ability to answer most questions people will ask. Be truthful, if you do not know an answer to a particular question, admit it, and tell the individual that you will find the answer.
    - Keep a file card of each inquirer's name, address, telephone number and type of child desired. All information is to be kept confidential.
    - Assign someone to follow-up on each couple.
    - Advise couple which agency you think would work best with them as to their needs.
    - Booth should be staffed by individuals and one social worker plus other people for private interviews (very important).
    - Have name tags for the people staffing the booth and interviews. Give prospective adoptive parents name and telephone number of persons who will follow them up.
    - After interviewing is over tell social worker all feelings and opinions (good/bad) about each couple.
    - Tell people about the fact that it is almost impossible to adopt white babies.
    - Order agency brochure at least six weeks in advance.
    - During the follow-up and after the couple has applied, have living-room dialogue where the prospective adoptive parents can speak with parents who have already experienced adoption. Put the stress on the problems of adoption as well as its joys.

- Set up meetings for people who could not attend the mall project but who are serious about adoption.

- Publicity is needed in advance for a good turnout. Try to get local newspapers to do a spread or two of your organization's families. If the papers will not do the story, ask them if they will do an article on the mall project, exact time, date, place, etc.. Have this paper coverage on Sunday or Monday of the week before the project with a telephone number, for anyone who could not attend.

- Have local radio coverage.

- Put up posters in local supermarkets, libraries, and anyother place people frequent.

- Specify that your group is non-sectarian.

- What to have at your booth:

- Revolving slide program of types of children available, for example, locally produced show or the N. Y. State Board of Welfare show, available from Coalition.

- Your organization's brochure.

- Agencies' brochures

- Appropriate literature: Photo listing book

* From an Open Door Society paper by Pamela Janson and Faye Caperna

How to hold a poster contest

- Center contest on a specific event and theme, e.g. Celebration of Adoption Week; theme "Thanks for a Family"

- Publicize the contest at least two months in advance of celebration. Set deadline for entries a month before prizes will be awarded.

- Be specific on setting up eligibility requirements. You may want to break this down by age groups and award a prize in each group.

- Specify size of posters and materials, such as paint, crayon, etc.

- Designate a member's address where entries may be sent. Remind entrants to include their own name, address and age on their entries.

- Secure a panel of judges.

- Plan a special ceremony to honor winners, e.g. at a potluck dinner for families or possibly at school function.

- If the winning entries are particularly excellent, you might want to reproduce them for use with mall media displays or for distribution to schools, libraries, churches and other organizations. If you do this, make sure you put a phone number somewhere on a poster where interested individuals may call for more information.

How to make a slide show

- Use a 35mm camera and obtain a slide tray for proposed show. Most trays hold from 20 to 140 slides. Remember the length of the show will depend on the number of slides your tray can carry.

- Decide on what information you want to convey, e.g. adopting a handicapped child. Write an outline for the show.

- Develop a script from the outline. Take pictures that dovetail best with your message.

- In designing the script, divide your paper in half vertically. On the left side identify the visual portion, i.e. slide of child and parents. On the right side, place the audio, i.e. "After long months of waiting 10-year old Mary has a home with loving parents, etc.."

- Plan a test run of the show. Make needed adjustments. Try to have someone who is not familiar with the subject matter preview the show and criticize it. Cut out all unnecessary words on any slides that are not clear.

- Make a synchronized sound track to go with the show if your projector has the capability to use it.

Helpful hints

- Number all your slides in case of spills.
- Use slide show in conjunction with speakers bureau. Provide a discussion outline to use before other organizations.
- Test out your show with a rapid run-through before audfence arrives.
- Keep your show up to date. If officers change or new projects are accomplished, include such data in the show.
- Prepare a duplicate show if you have frequent showings
- Make certain your show leaves the audience with a clear message, i.e. perhaps you have the capability to adopt a handicapped child.

Proclamation procedure

- Contact your mayor or county executive at least a month in advance of the day, week, or month you desire set aside for proclamation.

- Make an appointment for representatives of your local organization to explain to elected official or his assistant its purposes and why you desire the proclamation. Bring brochure describing your organization and background materials and Coalition brochure.

- Bring along sample proclamation edited to meet local situation.

- Make your intentions known to your county Social Services Department and local agencies. They may want to join you.

- Plan an appropriate event, where the proclamation can be presented; e.g. a dinner honoring an outstanding adoption advocate in your community or a conference marking Adoption Week.

- Contact media representatives to cover the event.

Draft proclamation

Adoption Week in _____(your county or city)_____
November _____to_____

Today there are more than 2,000 waiting children in New York State. They are special children who are waiting for adoptive parents who have the sensitivity and commitment to make these children a part of their family forever.

Many are minority race, school-age and/or handicapped. They need families and many families need the joy and love these children can bring.

April_____to_____ has been designated Adoption Week in New York State by Governor Hugh Carey in cooperation with the New York State Department of Social Services, the Board of Social Welfare and Citizens' Coalition for Children.

In that same spirit of cooperation, I (name) (mayor/or county executive), proclaim November_____to_____ Adoption Week in (city/county/village), and call for the help of all public and private agencies and organizations to assist in the recruitment of adoptive parents who can promise loving homes for our adoptive children.

How to obtain TV news coverage

- Plan an event that will be visually exciting or interesting, e.g. Don't just have a spokesperson for your group making a statement. Set a scene - in a children's home or in a member's home where children are present.

- Write a press release about the event.

- A week before your event, call station and ask for assignment director or news director. Identify yourself and your organization. Explain your news idea briefly and quickly. Wait for a reaction. Realize that you will probably not receive a firm answer. Tell him that you will mail a press release detailing your news event.

- Call again a day or two before your event and after news or assignment director had a chance to read your press release and make a decision.

- Don't call up in anger if reporter and camera person don't show up. You may have been "bumped" by a more urgent event in their day's schedule.

Helpful hints

- Plan your event in the morning of a week day so TV evening news deadlines can be met. If your event arises from a weekend conference, try to plan any news session for Saturday morning. Chances of Sunday coverage aren't that great because of staff limitations that day.

- Have press release and your brochure on hand at the event so reporters can quickly brief themselves to ask you questions.

- Write a note of thanks to the reporter and send carbon to news or assignment director.

- Don't overlook other programs besides evening news your local stations air, e.g. some noon or morning news shows have a five minute feature slot for community groups. Some local half-hour programs focus on public issues. Educational TV stations in particular have several public access programs. Don't be afraid to approach them with some good solid ideas for discussion. Before calling be certain you have commitments from people in your organization who will be willing to appear.

How to obtain radio coverage

- Proceed as you would for television coverage.

- Realize that most radio stations will not send a reporter to your event. They can, however, tape over-the-telephone interviews with someone from your group or with a visiting celebrity. Quotes from the tape are then played on the air at news times.

Helpful hints

- Plan to call the radio station and finish with that about a half hour before the time you have set for your event or after it, so you aren't trying to do two interviews at once.

- Don't overlook radio interview - talk shows. Call the moderator and briefly explain what your organization does and why radio listeners might like to hear and react to it. Make certain you have two or three members who are willing to appear.

Some examples of Coalition members' success with television and radio:

COAC-New York City

- Murray Roberts on his WRFM show reads a brief biography of an adoptable child and asks listeners to call the COAC number if they are interested.

- Lee Leonard ran a series on his Midday Live show - the series is called "Midday's Child" - to publicize adoptable children. Two programs have been aired on which Mr. Leonard talked to children on an informal basis.

- Radio spots are heard on WWRL alerting people - mostly black - to the possibility of adoption.

- COAC's Family Recruiter, Edythe Rogers, has her own show on cable TV, Adoption and the Black Community.

COAC finds that the problem with putting children on TV is not the television people but rather the agencies who find every excuse not to provide children for media presentation.

FACT, PACT and COAC-Rockland County

All of these organizations have appeared on local television stations. PACT and FACT reported success while COAC reported no direct referrals.

Council of Adoptive Parents-Rochester

- This group has run a television commercial showing different types of children who represented waiting children and had a CAP telephone number to call. This was very effective.

- CAP has also appeared on local television many times.

- This group also ran its own TV program on educational TV. It ran for one half hour and had a moderator, black parent, medical parent and older child parent - also two of their children were on. This program was written and produced by CAP members.

How to Write a Newsletter

Before beginning a newsletter, there are several things a group needs to decide.

- Who is the target reader? Parents, local decision makers, general public, other parent groups

- What is the purpose of the newsletter? Parent recruitment, education, law change, system change

- Do you have news worth sharing? You probably do. In fact, it is difficult to hold together a group of any size without some sort of update mailing to members.

- Can your group afford a newsletter? Do you have a typewriter and typist; do you have a budget for printing and mailing? Subscriptions can cover costs. In making your decision about whether to have a newsletter, be careful to avoid two pitfalls:

Do not allow your newsletter to become the primary goal of your group. There is a danger of substituting the writing about "the system" for the advocacy to improve it. Obviously, action must be your goal. Also do not reject the idea of some form of mailing because of expense. You can buy a used spirit duplicator for about $150 and run off internal bulletins on scrap paper if you must. You can also find a church that might print your news at a minimal cost.

If you decide in favor of a newsletter than follow these steps:

- Choose a chairperson to coordinate it, and decide about printing and mailing. (See "How to prepare a brochure" for printing information)

- Deadlines for submission of articles need to be set.

- It is helpful to recruit specific people to write/collect news/collate/distribute. You can get news items from Coalition mailings and by interviewing newsmakers in your group and community or by asking your group members to submit specific articles.

Next, you need to decide what goes into the newsletter; some possible ideas are:

- Local news about members, local events in your club and in your area, review of books and articles, newspaper and magazine articles on adoption/foster care issues, declaration of your club's intent to work on given problems, person testament letters re: how one fared when approaching an agency, think pieces designed to bring problems into focus, description and/or picturing of children available for adoption, space for your local agencies to address your membership, a membership application form, call for action or help solving specific child welfare problems, personality sketches of people who are working to move children into adoption, exposure of your local and state politicians' views on children, letters from your membership, and a law column to inform the readership of what the law is, where it needs change, where no law exists that could control a problem.

You can obtain copies of sample newsletters by contacting the Citizens' Coalition for Children.

How to Set Up a Conference

To set up a conference, first decide on:

- The purpose of the conference (to let people know your program, to understand a segment of the childcare scene, to suggest solutions for given problems, etc.)

- A topic that is interesting and will draw people

- The audience you want to reach (Ex. general public/caseworkers/potential adoptive parents/legal profession)

- The speakers - choose these on the basis of what you want said at the conference, their ability to get the message across, and their appeal to the audience.

- The place and date. The place will be determined by what is available in your community that will accommodate the people you want to attend. Likely places to investigate are community halls, hotels, school gyms, churches, your local agencies, civic group meeting places.

  Choose a date convenient for your audience, keeping in mind any events that might draw people away from your conference. Fridays are bad because people are anxious to get away and are involved with their weekend activities. Also, you may offend some by running into observance of religious holidays. Religion also needs to be a consideration on Saturday and Sunday.

- The format of your conference. Some suggested formats are:

  - speaker/discussion throughout the day

  - speakers in a series of topics followed by afternoon workshops

  - speaker/workshop morning - speaker/workshop afternoon

The next step is tentatively procuring a place to have the conference. Get two alternate dates and commit yourself to the one which will allow the most participation after you have contacted your major conferees. Check the facilities, services offered, your freedom and responsibility for setting up, cleaning up, monitoring conference behavior, and display areas. Some places that regularly schedule conferences may offer specific suggestions and equipment for exhibits, slide and film presentations. See if they have bulletin boards, chalk boards, various size tables, etc. Ask if there is a charge for their use.

Next, you are ready to sell your conference idea to the speakers you want, the members of your own group, and the audience you want to reach. Emphasis should be on either how much their participation will mean to others or how much they can expect to gain by attending. Emphasis must be personal in nature and sincere in tone or people simply will not respond as you wish. To enlist celebrity speakers, appeal to their needs for status (you will have an important audience) publicity (you have excellent media connections), personal advancement (someone else they want to impress is on the program), etc.. Couch an appeal to personal ego in altruistic, human service terms.

Develop materials for distribution or obtain them through groups that will be happy for the chance to share the results of their work. The Coalition is an excellent resource for speakers, materials and even funds for some events, and the Department of Social Services has numerous publications they will provide for the asking. All it takes is a request from you with an indication of whom you are trying to reach and why. Local agencies have frequently developed materials they will be happy to share.

Before you contact your first person, have alternate dates to offer, your convincing arguments prepared for enlisting their aid, and alternate dates for a pre-conference planning session. Also, have a list of alternate speakers in case you cannot get the ones you wanted. Be prepared for some possible disappointment in the form of conflicting meetings, unavailability, and attendance by fewer than you had hoped for.

If possible, gather participants for a pre-conference planning meeting. This is a time when you can share the concept you have in mind, give background so that participants understand the importance of conveying your point of view, allow for expansion of your concept in light of what the individual participants have to offer, and develop enthusiasm for the conference so that the participants want it to succeed as much as you do.

Recruit workers from within your group to handle registration, provide food, act as guides, distribute prepared materials, and record portions of the conference for distribution later. Be sure to enlist the attendance of members, friends and neighbors. Others at the conference will be looking to see how large your group is and how much of a power you represent. Make sure your members are clearly identified and visible.

A word about distributing material. Definitely you need a prepared program. It may be no more than a tentative time schedule, but people like to know what is coming. You can have left over newsletters, free leaflets from other sources, bibliographies, etc. on a take-one table. More pertinently related material should be given by hand, and attention should be called to it from the podium.

The day of the conference:

- Designate a place for speakers to assemble. This can be a separate room, a specified table, or the podium. It should be a place where they can leave their belongings, spread out their materials, and have access to water or coffee.

- Arrange a greeting area where participants can register, gather conference materials, have coffee or tea, and chat freely. Be sure to provide milk, sugar, artificial sweetener, and lemon.

- Set up your meeting space in advance. Nothing adds a look of unpreparedness more than setting up while people are there waiting to get started. Also, appoint someone to say hello and come on in.

- State the rules of the place clearly at the beginning of the day, such as, no smoking in given areas; tape recording will/will not be allowed; child care is available in a given area; and check your child at break time.

- Have a moderator at the podium who has no other duties than directing conference traffic, introducing speakers, calling attention to program changes, and setting a tone for the conference.

- Designate specific persons responsible for taping, filming, or recording the conference in writing. Introduce these people so others will know them.

Some pitfalls to avoid:

- Don't let your group members become so involved in food preparation that they are not available for the conference.

- Do as much as possible before or after the conference so most of your members are free to participate. It should look like the easiest thing you have ever done. Your preparation should only show in the form of a smooth, well-planned program.

- Make as many decisions beforehand as possible. Last minute decision-making appears to be a lack of planning.

- Avoid changing your mind as much as possible. When someone comes up with an idea simply say, "That's a marvelous idea. We'll try it next time, but today let's proceed as planned."

After the conference:

Write thank you notes to those who participated emphasizing their role in making it a success, reminding them of who sponsored the conference, and alerting them to the idea that the conference was only a beginning to the resolution of a problem.

Try to send out post-conference material. This can be actual transcripts of the speakers, additional material that relates to the topic, or a synopsis of what each of the speeches focused on and suggested as a resolution to problems.

How to Secure Endorsements

Giving and getting endorsements can be to your advantage. Giving them can bring you prestige and put your group before the public eye. Just be careful of any legal limitations. If you are a nonprofit corporation, you would not give endorsements to a particular candidate running for office. However, you could send a message wishing a candidate well, which is a step short of endorsement and may help.

You can benefit by getting endorsements for your events, conferences, or programs. To do so, prepare a form describing what you would like endorsed with a space for the endorsement signature, and send the form to potential endorsers, asking them to return it to you. Publicize the endorsement in news releases, on written programs, in newsletters, in speeches, etc.. Thank the endorsers and indicate how you have publicized their endorsement.

HOW TO ACHIEVE CONSUMER INPUT

In general, it is important to try making friends with decision makers on all levels. It takes much less energy to ask a friend in the system to hear your input than to pressure an enemy. The way to make friends is to remain positive as much as possible and to overlook some of the less important short-comings of other people. After all, you are not perfect either. An effective and direct positive act is to compliment someone's superior on a job well done, or to include someone in a prestigious activity, such as speaking at a conference. Specifically, if you know that a caseworker or a DSS staff person has put himself out to do a specific task well, send him a complimentary letter about the good job with a copy to the Commissioner of Social Services.

HOW TO ANALYZE AND CRITICIZE REPORTS

- Read the preface and table of contents to see what the report is supposed to be about. Note whether you think the purpose of the report is important and valid and whether it indicates the author's understanding of the issues involved.

- After this reading make note of questions and points you feel should be addressed.

- Read the entire report, once for its total impact.

- Re-read the body of the report with the questions of item two in mind and note where the report is adequate and where it is inadequate.

- At this point note conclusions that seem logical to you.

- Then re-read the report's summary or conclusion section and contrast your own ideas. Note conclusions that have not been reached, but which deserve consideration.

- Where the report seems valid, compliment. Where it seems inadequate, offer constructive criticism. Suggest items that would have made it adequate. Pinpoint important questions that were left unanswered. Focus on omissions which keep the report from presenting a full picture.

- Decide whom to send your critique to. The author, his backers, interested citizens, state officials, a local paper, etc.

HOW TO MEET WITH DECISION MAKERS

Meeting an important person can frighten a novice child advocate needlessly. Here are a few pointers that might give you courage:

- Remember that he gets up in the morning and brushes his teeth just like you. He is human.
- Do not feel guilty about asking him to do what he should be doing. He holds a government job, he owes that position to you, the taxpayer.
- Research in advance the issue in question and the person you are approaching. Take a few notes of points you want to cover.
- Start a conversation early with a compliment about something the person has done well lately, i.e. a good decision, a television appearance, or a speech.
- Do not feel you have to know all the answers. Offer to find any information you do not know, and follow up quickly by mail or telephone.
- Speak calmly, and base your points on reason and fact rather than emotion, and listen well.
- Try to leave the door open to future friendly meetings.

See the sections on moving bureaucracies and legislation for more ideas about meetings.

HOW TO GET ON ADVISORY BOARDS

In order to participate in decision-making about children, it makes sense to join the groups who make or influence the decisions. To do so, first study the board, its makeup and vacancies. Choose a reasonably acceptable candidate for the vacancy and, after obtaining his permission, seek the appointment by approaching a person who can influence the selection. It might help to get other groups to support your candidate and to publicize your nominee.

Some of the boards and committees that you might want to serve on are:

- The board of a citizen adoption/foster group
- A Social Advisory Council to a county commissioner
- A voluntary agency or institution board
- The advisory boards to state legislative committees and commissions dealing with child welfare or such commissions themselves.
- The advisory bodies to the State DSS, such as those on human services, adoption, the New York State Adoption Service, the Child Care Review Service, and standards of payment for foster care.
- Committees formed by the State Board of Social Welfare or the Board itself.
- The board of New York State Council of Voluntary Child Care Agencies.
- Boards and committees of Coalition, NACAC, and the National Council of Organizations for Children and Youth .

An example of the advantages of getting on advisory boards is the success of the Hudson Valley Adoptive Families Group. They requested to join two citizen advisory committees in Dutchess County Department of Social Services and received appointments.

The two committees turned out to do mostly busy work, but members were asked to speak to the Human Services Committee of the County Legislature, which was considering doing an investigation of foster care and adoption in Dutchess County. Their background work included calls to the chairperson of this committee and a chat on the train to New York to spur his interest.

The Human Services Committee then held a series of meetings to which they invited Hudson Valley Adoptive Families, Dutchess County Foster Parents Association, the Department of Social Services, social workers, and family court judges. Hudson Valley Adoptive Families alternated their plans between being very critical of the Department with lists of couples turned away from the Department, lists of children in care for many years, lists of foster homes not licensed, etc., and being supportive. They praised good work where applicable and worked to obtain more staff.

The meetings were most successful from the point of view of educating the legislators. It took several meetings for them to actually grasp the problems, but HVAF kept emphasizing the main points: adoptive parents are waiting, children need permanence; and workers need to encourage prospective parents. Finally, HVAF brought several pamphlets along to a meeting including the Michigan Project 1972 and at that point the legislators were ready for a progressive idea.

The remarks were:

"Why doesn't Dutchess County have a program like this?"

To date the legislative committee has decided to:

- Hire two workers to replace the two that have left this year to bring the adoption and foster care staff to 11 people.

- Present a resolution to the legislature to hire an extra adoption worker, specially trained to place older children.

- Sponsor a forum on adoption and foster care in Dutchess County.

Hudson Valley Adoptive Families stresses two points:

- Pick your committee wisely. You may have to join several before you find the one that works. Criteria are specific areas of interest that match yours and the people who get things done.

- Feed your information to decision makers a little at a time. Generally the whole child welfare story at once can be overwhelming.

HOW TO PARTICIPATE IN HEARINGS

There are many public hearings that you should participate in. Contact your local commissioner of public welfare to find out hearing dates in your county on Title XX, child protective services, etc. For notices of state legislative hearings, contact your state Coalition, watch the newspaper for hearing notices, or receive notices directly.

To testify at the hearing, first get on the scheduled list of hearing witnesses by contacting the person noted in hearing notices. It is important to schedule your testimony in advance to be sure to have an opportunity to speak.

Prepare a 5-10 minute statement depending upon the time allotted each speaker. You can find out how much time you will have in advance by contacting the person arranging the hearing. A rough time guide for giving a speech is one minute per printed page of the written speech.

In your statement indicate the following:

- Title of hearing and date
- Your name and organization - identify briefly if unknown to the hearing committee
- Summary of your position and points, with supporting statistics and examples
- Rebuttal of opponents' position

Bring sufficient copies, usually 20, for all committee members and staff; bring extra copies for the press and others. Attach copies of all additional supporting articles and studies. Use visual aids such as charts or pictures if they enhance your presentation. Avoid any unfriendly approach, including sarcasm and snobbery.

Issue a press release stating your position and reasons for it.

Coalition testimony on open records following this section is an example of a hearing statement.

To make hearings more than an exercise in self-expression, you need to summarize at the end proposed changes and actions. Follow up by bringing a proposed plan of action to relevant decision makers. After your discussion, set deadlines for action and have a plan ready in case deadlines are not met. Publicize your suggested changes and your meetings unless you feel publicity would push decision makers to a position of silence or self defense rather than cooperation.

New York State Citizens' Coalition for Children

Sealed Adoption Records and the Search for Identity Testimony before the Temporary State Commission on Child Welfare and the Assembly Child Care Committee, April 28, 1976

I represent the New York State Citizens' Coalition for Children, a statewide Coalition of adoptive parent groups. We considered the issue of open records at a meeting of our representatives last week. We found mild dissent among adoptive parents about whether adoption records should be open, and we agreed on the following points:

*The issue of open records is of minor importance in comparison with the real problem in adoption, namely that over 16,000 New York State children in public care should be adopted, projecting from the State Board of Social Welfare's estimates for New York City children. But this state spends about $300,000,000 on foster care and only 1% of that figure on adoption services. The major problems in adoption are the financial and other barriers that keep children out of secure, permanent homes.

*We are not opposed to our children's contact with biological parents. Many children are adopted at school age, and they have memories of biological parents that cannot be denied.

*Adoption records must not be open to the public.

* Adoption records should not be open to the adoptee until age 18. A young child may be disturbed by problems related therein.

*After age 18 adoption records should be open to the adoptee upon his demand, but these records should not reveal the identity of the biological mother unless she consents or is dead. True, the adoptee has a right to his identity. However, anonymity is also within the biological mother's right and in the child's best interests. Because knowing that agency and court records will be open to the child, the mother might choose the only way to remain anonymous, i.e. abandon her child.

*The adoptee should know more about his biological parents than he knows now. Information should be made available to adoptive parents before placement of the child with them. The state should develop regulations and forms requiring that agencies give adoptive parents for their children all possible information relating to the nationality, physical traits, and medical and social history of the child's biological parents. Such information forms are currently being tried by Monroe County. For further information, contact Lynda Bailey, Council of Adoptive Parents, 35 Bittersweet Rd., Fairport, N. Y.

*The issue of open records is sensitive, requiring more thought and discussion. But, again, it is not a priority issue.

Carol Possin, President
New York State Citizens' Coalition for Children
2361 Algonquin Road
Schenectady, New York 12309
518-374-7175

5. HOW TO CHANGE SYSTEMS

HOW TO MOVE BUREAUCRACIES

Before trying to move a bureaucracy, you need to establish an appropriate mind set, i.e., that bureaucrats are paid by you to provide services, and they are accountable to you. It is inappropriate to feel guilty about asking for services you are entitled to. Some points to remember:

- Do not be deterred by friendliness or threats. Be wary of representatives in your group who value the status of a friendly relationship with a bureaucrat more than they value reaching goals.

- Document your complaints.

- Be fair. Use appropriate channels of complaint rather than taking drastic action as a first step. The usual chain of command to follow is:

    - Agency worker

    - His superiors, including an agency head and the local commissioner

    - County/state government heads if appropriate, depending on the target of the complaint

    - Governor

    - Legislators

    - Get support help from other citizens

    - Newspapers, letter to editor, investigative articles

    - Radio, Call for Action

    - Television

    - Suit, after lawyer warns the opposition of the suit first

GENERAL GUIDELINES FOR CHANGING SYSTEMS

Before beginning an action project to change a system, you will need to go through the steps of thinking out objectives and strategies carefully:

- Identify the problems. Document evidence of problems. Choose a problem that you can experience some success at solving. Don't take on too much. Be careful to identify real needs. Sometimes you can uncover the hidden problems by asking many people your questions and comparing their answers or by finding an insider wishing to talk. Research so you find the real problems, not just the apparent ones. You can get information from agency annual reports, BSW annual surveys and the DSS. There may be hidden reasons for poor agency functioning that you may not see, such as personal antagonism between agency workers. Also determine whether you are dealing with legitimate grounds for complaint or just a conflict in values.

  Examples of problems: Pro foster care policy by foster care supervisor in order to keep the institution beds full or the foster care section large and important; institution violation of law or regulation or capricious and arbitrary actions; understaffing or refusing adoption services; too little knowledge about or inclination toward terminating parental rights; promotion of foster care rather than adoption or preventive service. You might want to check with Coalition or a lawyer to determine the validity of your problem identification.

- Set goals. Choose one or a few at a time. Be specific: Involve members early in this process in order to engage them in the entire action program later.

  The usual overall goal is to promote permanence for children through adoption or return home. Subgoals might be: To halt agency violation of law or regulation, to procure an additional adoption worker, or to bring in staff training in skill/attitudes.

- Plan strategy. Steps you might decide to take:

  - Decide whether to use a consensus or a conflict strategy. A consensus model stresses engaging others' cooperation and is characterized by discussion. It achieves community support and includes compromise so that everyone "wins". It is wise to use this strategy with people whose support and cooperation is important to your future goals.

    If you choose consensus strategy, you will really have to work at warding off conflict. It is easy to get into the habit of criticizing and insulting a source of frustration.

    The conflict model stresses confrontation, hostility, and pressure tactics. It is characterized by inciting attacks in the press, demonstrations, and demands. (Most people feel that this strategy is particularly useful when the other side is unresponsive or negative toward consensus overtures.).

  - Identify the people who have the power to make the change you seek. For example, an adoption supervisor, a local or state commissioner, etc. Look for allies in the system who might help you.

- Know who will oppose your objectives and your involvement, how they will likely react, and how you might neutralize their opposition. Your opponents are those who might lose money, power, or prestige from your action. There might be a way for you to lessen their loss, by providing face-saving and a positive role in the solution for them. If someone opposes you in principle and if you feel it will help your cause, offer to debate that person openly.

- Start with the lowest ranking person who can make the change. Set up a personal meeting, bringing along a very few knowledgeable people. State the problem and show your documentation. Offer a positive solution. Offer to help solve the problem if you can, for example, by recruiting parents if the agency lacks staff time or by educating the public if an antisubsidy attitude exists. Be polite, firm, calm, and professional. Indicate that you intend to follow through and reach the goal, even if it means a great deal of work and going to supervisors. Never be deterred from your goal with smiling offers of a committee appointment or a half answer that will not solve the real problem. This does not mean that you should not compromise if a better solution appears. In fact, you might anticipate compromise by asking for more than you will settle for.

- If the immediate people in a position to make the needed change do not respond as you wish, go to the people who influence them, such as supervisors, political party leaders, campaign contributors, county boards of representatives, or foundation funding representatives. Reason with them and ask that they intervene.

- Use massive letter writing and telephoning to the above people if you determine that a show of strength is needed. Next try public education.

    - Appeal to high government officials or go to court if necessary.

    - Go to the newspapers, television, and radio as a final step. (see section on How to obtain newspaper publicity - investigative pieces)

- Throughout this process to ease the way for future actions, cultivate friendships among influentials in the system. Commend agency success in your newsletter and with press releases. Ask the political party leader to act as honorary chairperson of your Adoption Week or judge of your poster contest.

- Go to work

    - Decide in advance whether to overstate your demands and leave room for compromise or to present your real position and stand by it.

    - Keep careful records of actions, reactions, dates, quotes, etc.

    - Divide tasks among the group

    - Keep all informed in writing or by phone

- Move quickly and tenaciously in order to preserve enthusiasm and support of your group.

- Follow through. Never start an action program or say you will do something when you do not intend to carry through. No one will listen to you next time you demand a change.

- Be flexible. Change strategies as needed according to information and developments.

- Take satisfaction from partial successes such as the education of the public even though the system may not change right away.

- Evaluate your action project from time to time in order to discover techniques that work and those that do not. Decide whether to continue, change, or even abandon the project.

- Discover new problems to address later during your program.

- Thank those who helped.

- Presenting your requests or demands

  - State your request clearly and precisely. Limit yourself to only a few requests at a time.

  - Present an acceptable demand.

  - Be realistic in terms of financial and other requirements.

  - Be able to present all sides of the issue and to counter opposition. Practice in advance of a meeting among yourselves, using roll playing.

  - Show that it is in the institution's best interests to implement your proposal.

  - Demonstrate good will by going through channels and saving appeal to higher authority, the press, the institution's board, political contributors, and government officials for last.

  - Show your strength by making known your numbers, achievement, resources, and support.

  - Be professional.

  - Remain calm, polite, and personable.

  - Arrive on time for meetings, follow a prepared agenda, and stay only as long as planned in advance.

  - Firmly set deadlines and be forceful and have alternative plans if there are delays or you are ignored or intimidated.

  - Before sending a delegation to negotiate your demands, decide who will lead your presentation and keep the discussion moving, and make sure your delegation knows and agrees on all points. Division among your delegates makes your organization look weak.

- Try to achieve a stronger position during negotiations by having as many delegates as the other side, meeting on neutral ground, and including people in your delegation whom the other side has not met.

- Do not be deterred by opponents who are "nice," by side issues, or by any delaying tactics, such as appointing a committee to study an issue that you have already researched.

- Call a recess to confer with your delegation if you are having difficulty reaching your goals. If you are doing very well, allow the other side to save face.

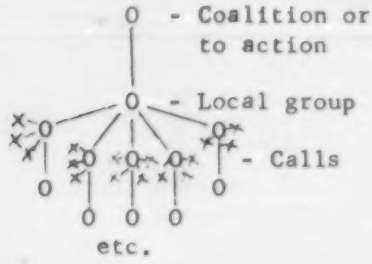
- Get the results of the meeting in writing either from the other side or in a follow-up letter to all concerned parties from you.

Of all the points made above, the ones where advocates usually fail are in setting appropriate goals for change and in following up swiftly and tenaciously.

HOW TO GET THE MESSAGE ACROSS

In any message campaign, i.e. letters, telegrams, mailgrams, phone calls, etc. always tell people who are to send messages the address or phone number of the recipient, the issue involved, a suggested position, and a time limit for an effective message.

One way to trigger a campaign is through a phone tree that you have established in advance. This system enables you to spread a message among many people, each making few calls. A phone tree looks like this:



Each O calls one more O and four X's.
The O always passes the message on.
The X does not call other persons.

Another version is to have every person called responsible for calling five more. You can also ask them to call as many personal friends and family as they can.

Another way to get out quick messages involves writing people's legislative messages for them. Sometimes sympathetic friends agree with you in principle but do not have the motivation or specific knowledge to write the needed mailgram. Your legislative committee can volunteer to write and send mailgrams for them with their knowledge and consent. It is important to preserve the credibility and integrity of your message system by consulting with persons for whom mailgrams are sent.

If there is time, a message campaign coordinator can mail letter writing instructions to individuals who will write in support or opposition to issues. This can be triggered by Conlition and the response can be multiplied by local group efforts.

Identify the issue, suggested position, bill or regulation number, if any, person and address or telephone number to contact, and contact deadline to be effective. Phone or mail this information to potential responders. Include the information in your newsletter only if responders will receive it in time to respond before the deadline you have established. A common mistake is to ask for response in newsletters that arrive by slow bulk rate mail long after the problem has been resolved.

The information for responders outlined above can be printed on a sheet and distributed at group speeches or activities. Letter writing materials can be provided so that you can be assured of on the spot response. If you have a booth at a mall or fair, you can get the public to participate in massive response.

If you provide paper, envelopes, and stamps in all these endeavors, you will get more willing response. However, avoid form letters, uniform stationery, and standard wording. Recipients of opinion letters value personal opinion and experiences over unthinking form letters.

Telegrams

Telegrams, for example, in December 1976, cost $3.75 for the first fifteen words and $.08 for each additional word. Delivery charge is an additional $3.00 and the telegram can be telephoned to avoid the delivery charge. Telegrams are the fastest medium other than telephoning yourself. They are delivered immediately.

Mailgrams and night letters are delivered the day after they are sent. For this reason they are cheaper than telegrams. The cost of a mailgram is $2.75 for 100 words or less. They are delivered by the post office. Night letters cost $3.00 for 100 words or less plus an additional $3.00 if they are hand delivered rather than telephoned. They can only be delivered within the limits of a New York State city.

Mailgrams, night letters, and telegrams are very effective means of drawing attention to your message. To use any of them, call Western Union in your telephone directory. You will be billed later.

Petitions

Petitions do not carry the weight of individual letters. They can be useful at times, however, to demonstrate public sentiment. Petitions presented at a hearing or in a meeting with public officials can bolster your position.

One advantage of petitions is that the many people who sign them become educated about an issue. Make the petition statement short and clear. Leave room for signatures and addresses. Include the address to which the petition is to be mailed and a place for the signature and address of the circulator who witnessed the signatures. Mimeograph and distribute to people who will solicit signatures. Include background information and instructions for circulators. You can find people to sign at fairs, shopping malls (get permission first), clubs, organization meetings, etc. Some busy people can simply carry a copy with them for one week and get fifty or more signatures from their personal contacts. You might also canvass neighborhoods.

Number petitions and keep a record of who has them. Photocopy them for future use before giving them to the person you want to influence.

Phone campaign

When you need to show immediate popular support for something or you need to pester an official who is not otherwise responding to you, a telephone campaign may be appropriate. You can use your phone tree to inform individuals when and where to call and what to say. Keep up the deluge of calls until you get the answers you want. At that point, stop the calls, but be ready to resume if needed.

Demonstrations

Demonstrations can inspire community sympathy or a backlash. You can try to obviate hostile reaction by limiting the number and frequency of your demonstrations, by trying other less drastic steps first to achieve your goals, by making sure that your members and the press understand thoroughly why you are demonstrating and support you, and by cleaning up after your demonstration.

Some types of demonstrations to consider are public gatherings with or without picketing usually near the institution which is your target, marches, vigils (rallying for an extended period of time), leafleting, and sit-ins. You may want to consult a lawyer about legalities, including obtaining a permit if necessary.

Some hints about demonstrations:

- Get permission to use an area and to demonstrate if required.

- Make sure the location has adequate parking and sanitary facilities and that the location has visual impact for television. Choose an area small enough to make your crowd look large.

- Assess the number of potential demonstrators before committing yourself to the demonstration. Cancel your plans if you are going to be embarrassed by too small a crowd.

- Notify and remind demonstrators to come.

- Designate a spokesperson.

- Plan for bad weather or any other disaster.

- Keep calm and professional.

Visual aids

- Bumper stickers, buttons, posters, banners, and balloons dramatize your message. For service, check the yellow pages under advertising.

HOW TO MONITOR AGENCIES

It is important to keep a separate file on each agency in your area.

- Record by date every experience your members have with that agency. Include stated reasons for rejection for adoption and dates of time delays in homestudies.

- Record also any suspected violation of law or regulation. Include positive achievements of agency staff as well.

- Keep on file notes from telephone conversations, copies of relevant letters, and any signed statements from applicants, positive or negative.

- Include information gathered by your adoption counselors/referral system. (see "How to Receive Inquiries" under "How to Recruit Adoptive Applicants").

Whenever you detect trends that indicate policies discouraging adoption of available children, send a delegation to the person responsible and advocate an improvement. Be polite, but firm. If you achieve no results within a reasonable time limit that you have stated in advance, follow the procedures outlined in this book under "Moving Bureaucracies."

HOW TO DO COURT WATCHING

A group may appoint a court committee to watch Family Court proceedings, especially Section 358 (a) Social Services law, placement in foster care and Section 392 Social Services law, court review of foster care status. The goals of such a program might be to learn if the laws are being implemented fairly and whether new laws are needed.

Family Court is often closed to the public because of "confidentiality." The Council of Adoptive Parents in Rochester, New York, however, was invited by a particular judge to observe. Other groups could try contacting their judges using the Rochester experience as a precedent.

Observers should be discreet and should follow all instructions from the judges.

The observer should obtain a copy of the day's docket and fill out a form, recording each case. Some things to look for are the use of law guardians, visitation schedules, Orders of Protection prohibiting movement of a child to another home without court approval; plans and time frames for reunion of families, and arrangements to rehear cases in four, six or twelve months in order to insure progress for the child.

A sample court observation form follows.

DATE_____ JUDGE_____ OBSERVER_____

NAME_____ DOCKET NO._____ AGE_____ RACE_____
(Use initials)

AGENCY_____

TYPE OF PLACEMENT: VOLUNTARY_____ COURT_____ DATE OF PLACEMENT_____

REASON FOR PLACEMENT:_____

NEGLECT INDICATED: YES_____ QUESTIONABLE_____ NO_____

AGENCY REPRESENTATIVE(S):
CASEWORKER:_____ PREPARED___ NOT PREPARED_____
LAWYER:_____ PREPARED___ NOT PREPARED_____

LAW GUARDIAN:_____ PREPARED___ NOT PREPARED_____

TYPE OF CASE: K_____ L_____ OTHER(SPECIFY)_____

COMMENTS ON CASE:

DISPOSITION OF CASE:

COMMENTS:
1. Do you feel that the agency is acting as the child's advocate? YES__ NO_____
2. How do you feel the judge handled the case? Satisfactorily_____
Questionable_____
Unsatisfactorily_____

HOW TO INFLUENCE LEGISLATION

First steps:

- Check lobbying registration requirements and limitations. A 501 (c) (3) tax status requires that a group not devote a substantial part of its time or funds to lobbying, i.e. about more than 1/4. You cannot endorse political candidates.

- Choose people who are well-informed, straight-forward, tenacious, and not easily intimidated to represent your organization.

- Organize your group to respond quickly when needed with telegrams, phone calls, letters, and visits to legislators. (See section on "How to get the message across")

- Locate the Capitol Building and the Legislative Office Building. The Capitol Building is at Washington and South Swan Streets and the Legislative Office Building is across State Street from the Capitol. You can park for free on some of the side streets. Take the South Mall exit off Routes 787 or 90.

- Get Governor's Office support (check for needed amendments) before spending too much time in the legislature. In any case, try to obtain the Governor's support early in the session. If your legislation has wide impact, he might possibly want to include it in his legislative program.

  Establish contacts by attending campaign cocktail parties, etc. Get to know Governor's liaison staff that promote Governor's bills in the legislature.

- Get to know key legislators who can serve as sponsors for your legislation, and make sure they know you. Invite them to speak at your meetings, conferences. Send them bulletins, newsletters, and descriptions of your constituency and accomplishments. Seek this good will by thanking them for help, giving them a forum or other status rewards and by contributing as individuals to their campaigns. It helps to get individual people involved in campaigns. Send a delgation to see a campaign chairman. You cannot endorse candidates, but individuals can offer campaign help.

- Calculate actions to have the maximum effect without losing anything. Do not say things you will regret later.

- Coordinate your group's efforts at the Capitol with your state Coalition.

- Learn the legislative process thoroughly.

How the legislature functions

At the beginning of each legislative session, the legislature sets rules by which bills are introduced and moved through the legislative process. The majority leader acts as chairperson of the Rules Committee in his house, and usually appoints all other committee chairpersons from his party ranks. The Rules Committee is made up of majority and minority leaders and top committee chairpersons.

There are general rules for introducing bills which do not change from year to year except in dates:

- Bills may be prefiled between the middle of November and the opening of the session in January.

- In the Assembly, members may introduce as many bills as they desire until the first Tuesday in February. In both houses, the member or members who introduce a particular bill are referred to as the bill's "sponsors."

- An Assembly person is limited to introducing 10 bills between the first and third Tuesday of February, and after the third Tuesday can only introduce a bill with unanimous consent.

- Senate deadlines are designated by the majority leader, and generally follow Assembly deadlines by one week.

- After the 10 bill period, bills may only be introduced by the Rules Committee.

- A bill may be introduced by one or more legislators.

- Each bill has an introductory number which remains the same, for example, 1053. Letters are added or changed each time it is amended, for example, 1053A.

- Each bill has its first reading when it is introduced. It is then referred to a standing committee and may be amended anytime after the first reading.

- A legislative term is two years. Bills introduced during the first year or session of a legislature do not have to be re-introduced to the second year.

The relationship between Legislation and Standing Committees.

In the Assembly, committees can report bills out for floor action at any time. The speaker sets a date when the Assembly must report on all bills under consideration. Bills reported favorably are sent to the floor for action; others are referred to the Rules Committee. If a bill is not reported out of committee after the second year of a legislative term, it is "dead" and must be re-introduced the next term.

In the Senate, bills may be reported out of committee until the end of the yearly session.

How a bill reaches the floor of the legislature for a vote.

After a bill is released from a committee of the Senate or Assembly, it is placed on that house's "calendar". Each house publishes a daily calendar, during the legislative session of bills that may be advanced or voted upon.

Before a bill comes to a vote in either house, it must reach what is termed "third reading".

In the Senate, after a bill is released from committee, it is said to be on "first report" which means it comes before the entire Senate, but is not debated. On "second report" the same holds true. When a bill moves forward in the Senate, it is said to be on "third reading" and may be debated.

Once a bill is on third reading it can be voted on. Bills are not always voted on according to their listing on the calendar. Legislators, for example, can request a bill be "laid aside" until enough support for passage is obtained.

In the Assembly, after a bill is reported out of committee, it is said to be on "second reading". Before it goes on "third reading", it is possible that a bill may be debated or amended. After "third reading" it can come up for a vote, at which time the bill may also be amended or sent back to committee. "First reading" refers to the introduction of the bill after which it is sent to committee.

After one house passes a bill, it sends the bill to the other house for action. Sometimes a companion bill, actually the same bill, exists in the other house. If the companion bill has been reported out of committee in the other house, it may be placed on the calendar of the second house to be acted upon. If no companion bill exists in the second house, it is sent to the appropriate committee in that house.

What "starring" a bill can mean.

Sometimes, after a bill is reported out of committee, the majority leader of either house or the bill's sponsor can "kill" a bill by "starring" it. This means that a star is literally placed next to the bill in its listing on the calendar, and is put in a separate section of the calendar. If this happens to a bill you are interested in and want passed, call the bill's sponsor and the majority leader to check on ways the bill can be amended to make it acceptable to the majority leader. If this can be accomplished, the bill may have a chance to move again.

What to do after both houses have passed a bill.

During the legislative session, the Governor has 10 days to sign into law or to veto (reject) a bill, so immediately write or visit the chief executive's office to urge positive action on bills you favor. On bills that you oppose, urge a veto. Bills sent to the Governor in the last 10 days of the legislative session are "30-day" bills, meaning the chief executive has 30 calendar days after the legislature adjourns in which to act on them. If the Governor takes no action on a bill, it "dies".

Send a letter to the editor pointing out why Governor's positive action on bills is desired. Also inform others who are interested in joining your efforts.

Sources of additional information

"The Legislative Process" free pamphlet, write or phone the Assembly Speaker's Office, room 349, Capitol, Albany, New York.

"Legislature of the State of New York: Members and Standing Committees" booklet, available from Documents Room of Capitol.

Documents Room at Capitol, or Legislative Office Building (one for Assembly and one for Senate) provides free copies of bills. Know the number of the bill and ask for it by number.

Daily Calendar and Daily Journal - see at Legislative Library, Capitol, or obtain from Documents Room. Calendar lists bills to be read off by Clerk that day. Journal records what happened on bills the day before.

Journal Clerk of Assembly and Journal Clerk of Senate can give you the roll call on votes so you know how each legislator voted.

Bill-tracing at computor center. Dial toll-free 1-800-342-9860. Even if local, dial complete number. They will give you information on bills. If you give them the bill number, they can quickly tell you where the bill is, such as committee or calendar. They can give you information on hearings. If you do not know the number of the bill, they will find it for you but it takes longer. If you need to call the Governor's Office about the status of a bill, the number is (518) 474-7182.

HOW TO WORK FOR PASSAGE OF A BILL

If the concept you are interested in has not been introduced as a bill:

- Consult with your members and other people you will need to engage later until you agree on the legislative concept. Document a need for the bill by gathering letters of opinion, responses to your own survey of people to be affected, or data from reliable sources such as the DSS, State Board of Social Welfare, university research programs, the Child Welfare League of America, etc. If you are able to draft a bill, do so. Also, prepare a researched memo in support of the proposed bill.

- Approach the Chairman or his staff of the appropriate committee to deal with your measure. Do not be shy. These people are usually looking for bills to put their names on and will welcome the research you have done for them free of charge. Offer to provide further research assistance if needed.

- Try to obtain several sponsors for your bill to insure a broad base of support.

- Be willing to compromise if necessary in order to get a passable bill. You can add more in future years. Remember also that the most significant work on a bill is done in committee, and what the committee decides is usually accepted by the floor.

- Do not threaten legislators whose support you may need in the future. You can also protect your position of trust and respect by not discussing with one legislator what another one told you, by not discussing your own legislative activities and by never providing incorrect information.

When legislation is already introduced and in committee:

- Become thoroughly knowledgeable about the legislature, committees (consult the Capitol documents room, ask legislators, read local newspaper), committee chairperson (know that person's past record in this area of legislation, what other pressures he is subject to.

- Form an opinion on the legislation if a bill did not originate with your group.

When the bill is active in committee

- Educate committee members - Start as soon after the bill is filed as feasible. Reinforce now.

- Consider amendments, if necessary.

- Rethink opinion and make it known.

- Visit committee chairperson.

    - request appointment - say how long you'll be there and how many are coming.

    - go to influentials in his area (campaign contributors and party people) ask to see the record of contributors which is published by county clerks and county elections commissions - you might know some of these.

- Have many people request the meeting - phone calls, letters.

Sometimes it is just as well to talk to a committee aide who may know more than the chairperson. Do not feel you have failed just because you met with the aide. Cultivate good a good relationship with the aide as he is your conduit to the chairperson. But it is still good to meet the chairperson so he knows you.

Meeting with a chairperson:

- Make an appointment in advance if possible. Stay only as long as planned unless the legislator wishes to continue the discussion longer.

- Time your visit for Monday afternoon through Wednesday morning when lawmakers are usually present.

- Know what you want.

- Be concise, polite, friendly and positive.

- Make clear you are going to work hard for this and that you have a base of support and that he do specific things, such as sponsor a bill.

- Solicit how the legislator feels about what you have said. Get a feeling for how much work is in store for you. If he appears negative, leave him undecided rather than against your position. It is easier to move an uncommitted person than a negative one.

- Develop a good relationship with the secretaries and aides who might tell you about the progress of the bill.

- Get to know committee members. Use them in case the chairperson will not do anything.

- Know pressure points: campaign contributors, many voters, political advancement and status

When a bill moves to the floor:

There are few legislators who move their own bills through all the hurdles toward final signing by the Governor. That becomes your job as as activist.

- Follow the bill carefully and detect and remove any barriers to its movement. Much of this work can be done by telephone, especially after you have met most of the people involved.

- Educate legislators about the bill and for general public relations. Ask them for specific commitments, e.g., through memos, for example:

    - Can we count on you to support this bill?

    - Do not ask legislators their positions. They are supposed to represent their constituencies, not themselves.

When you write your legislator:

- Remember a personal letter is worth 100 form letters in shaping the position of your legislator. Simply state the bill number and subject, use your own words to state your position (pro or con) and indicate how the bill will affect you and others you know. If you wish to write a more formal memo, you might use this model (Use paper with a letterhead, if you have one, to make it look official): SAMPLE MEMORANDUM

S. 9934 - Senator Pisani
A. 11563 - Mr. Gottfried

A BILL to mandate that adoption services be provided for New York State children

MEMORANDUM IN SUPPORT

This bill would require county commissioners of social services to provide adoption services for each child in his/her care, and to cooperate in providing adoption services for available children in New York State. New York State children are defined as the 1000-2000 adoptable children photolisted on the Adoption Listing Service who are not being placed locally. Furthermore, each agency providing an adoption service would be reimbursed for that separate service.

Presently monies are assigned exclusively to the agency with custody of a child when that child is placed for adoption. This bill provides the financial means and incentive for cooperation in intercounty adoptions. Excess waiting families would be matched with waiting children throughout the state. Each agency would be paid for whatever phase of adoption they provide.

Currently, adoption is a discretionary service, sometimes completely unavailable on the local level. In 1974, according to the New York State Board of Social Welfare report, only 2,300 New York State children were adopted out of a total of about 50,000 children in public care.. A statewide pool of waiting children was provided by the enactment of last year's Photolisting Service bill. Now a system of statewide adoption cooperation that is both mandatory and financially attractive is necessary to make the Photolisting work. This bill answers that need.

FISCAL IMPLICATIONS: This bill will increase adoptive placements, greatly easing state financial burdens by eliminating expensive child care costs,$5,000 to $30,000 per year per child. Note that 50-75% of the cost of adoption services are reimbursed by the federal government.

For further information contact: Carol Possin
2361 Algonquin Road
Schenectady, New York 12309
(518) 374-7175

- Do not forget a letter of thanks to legislators who have helped you secure passage of legislation.

HOW TO PARTICIPATE IN AN ELECTION CAMPAIGN

Non profit corporations should investigate the legalities of participating in election campaigns. In order to promote the election of a candidate that serves children well, some of your members may want to become part of a committee which is completely separate from your organization.

Political activity can be extremely helpful to create reforms in children's services. Elected judges, legislators, the governor, and county representatives have decision-making powers over children.

Some points to remember:

- Get the help of experienced campaigners.
- Form an overall strategy.
- Involve as many people as possible as volunteers, endorsers, and supporters.
- Pick a few issues explained in a simple way that your research of the voters shows would be well-accepted. Stay on the offensive by sticking to those issues rather than responding to the opposition's attacks.
- Get your message across by canvassing, parading, meeting people, etc. Use media, announcements, parties, coffees, speaker's bureaus.
- Solicit contributions, and stay within campaign laws in doing so.
- Do not spend the bulk of your time with people who already support you. Put your efforts among the uncommitted votes.
- Get the vote out on election day. Phone your supporters at midday if they have not voted yet. Provide transportation and babysitting as needed.

Once again remember that non-profit corporations cannot participate in political campaigns. Only people acting as individuals or members of committees completely separate from the corporation may engage in the above activities.

6. HOW TO RECRUIT ADOPTIVE APPLICANTS AND ORGANIZATION MEMBERS

Applicants/members can be recruited on an ongoing basis by listing the organization with the local library, office of volunteer or human services, the information office of the local newspapers, and with churches and gynocologists. You can also place posters in supermarkets, laundromats, store windows, and bus stations. You might also place notice of your activities in church and PTA bulletins and in small weekly newspapers as well as with the larger media. Referrals might be arranged to come from agencies and Coalition. Some organizations arrange with agencies to describe their group at the agency's group orientation sessions, or the agencies may give applicants a citizen adoption group's brochure.

The source of the greatest number of applicants/members is a listing of the organization's telephone number in the yellow pages. If there is only an "Adoption Agencies" category in the local telephone book, citizen adoption groups list under that heading and indicate in the listing or at initial contact that the organization is educational and does not place children.

It is most helpful to have the organization's telephone in the home of a membership chairperson who is willing to leave it in one place for several years. When the chairperson is unavailable to answer calls, there should be an answering device with a pleasant message. Check with the telephone company on the legality of attaching an answering device to your telephone.

There are several organization activities that will recruit large numbers of applicants on a short-term basis, i.e. use of media to promote a specific child or for general education (see "Public Relations Through Media").

HOW TO RECRUIT BLACK PARENTS

If your citizen adoption group is primarily white and you live in an area that has Black families, you will want to involve more Blacks in order to recruit more Black parents.

In doing so, remember not to patronize. You will also not be welcome to dominate decision-making. Give advice when asked, and promote the efforts of Blacks to recruit Blacks with financial support if they desire it and if you can find it.

Blacks may want to form their own Black committee in a citizen adoption group or their own separate citizen adoption groups. Consult with Coalition for help in getting Black parents involved. First you will need one or two Blacks to get it started. You might ask your local agencies for referrals or recruit from your own list of inquirers that have responded to your recruitment efforts. The group will grow by reaching families through Black community newspapers and other appropriate media and also by contacting the NAACP, the Association of Black Social Workers, and community churches. Some of your most successful recruitment will come by word of mouth in the Black community.

It is not always the families with high incomes that want to adopt the many waiting, special needs children. As is the case with white families, Black families that do not have excessively large incomes may be the best resource for adopting available children.

Rather than trying to form a Black group, you might be more successful at identifying individual Black adoptive parents in the community who are willing to counsel by telephone Black applicants referred to them.

If you are able to get funding, you can increase the amount of work done by paying counselor's expenses and even a consultant fee. Substantial funding would allow you to establish a referral service such as the one offered by the Black Social Workers in New York City (Child Adoption Counseling and Referral Service, 106 West 146th Street, New York, New York 10039). That organization recruits Black families through the media, prepares them for and counsels them throughout the adoption process, refers them to agencies, and advocates for them with agencies.

In order to increase the numbers of adoptive placements in Black families, your group, and especially your Black committee should promote the following:

- Hiring of Black staff by the adoption agency.
- Recruiting Black applicants in ways that reach them, i.e. in Black publications, labor unions, churches, etc. In churches get the Black minister to do the recruitment.
- Sensitizing workers through inservice training to the needs of Black adoptive families. Check with the North American Center on Adoption for appropriate films and materials and have Blacks meet with agency staff and discuss Black/White cultural differences.
- Reviewing the agency's application blank and rewriting if it is offensive to Blacks.

- Responding immediately and positively to inquiries and teaching agency staff to do the same.

- Preparing Black applicants for the homestudy by telling them what to expect agency staff to ask and to do.

- Asking agency staff to meet with potential Black applicants at a time and place convenient to them, such as in their neighborhood in the evening.

- Asking agency staff not to intimidate Blacks when explaining eligibility requirements. Prepare agency staff not to expect $5,000 in the bank, a house rather than an apartment, and a high school diploma, etc.

- Follow the applicants throughout the adoption process and check for difficulties.

HOW TO REACH FOSTER PARENTS

Our greatest resource of adoptive parents is the foster parents who care for waiting children and with whom the children have formed a psychological bond. However, many foster parents have not been encouraged to adopt, nor have they always been told of their rights as foster parents.

It is important to reach foster parents to educate them to their rights - the right to preference in adoption when the child does become free; their right to representation at hearings concerning their child (see the chapter on Law), and their right to apply for adoption subsidy if they qualify and if the loss of fostercare money would make a desired adoption impossible. (see the chapter on Finance).

- Talk with your local agencies to determine whether they are encouraging foster parents to adopt and informing them of their rights. If they are not, arrange additional meetings to help them see the need for such activity.

- Check to see if there is a chapter of the Foster Parents Association in your community. For further information contact Vincent Kovarik, President, 1574 Lakeland Avenue, Bohemia, New York 11716.

- Ask agency staff to speak to any organized foster parent group that may or may not be affiliated with the agency. If the agency is reluctant to have you do so, ask if you can write a letter to their foster parents. They will probably not let you have the names and addresses since the identity of foster parents is considered confidential, but they may allow you to write the letter, pay postage, and send it through the agency.

- When speaking to a foster parent group, recognize their commitment to good care, their personal dedication to the children and the temporary nature of their role in the child's life. Address yourself to the time factor, emphasizing their initial agreement to return the child to his biological home when the home was ready, and recognizing their concern when that time becomes unreasonable. Also, talk of time in terms of the difference it has for a child where a year may represent a fourth of a lifetime. Talk to the point that the child may have accepted the foster parent as his psychological parent and recommend that foster parents read "Beyond the Best Interests of the Child." (see bibliography)

- Present adoption as a permanent solution to the child's need for belonging and roots. Talk to the point that no matter how loving and dedicated the foster parent is, the child is still involved in a system where agency representatives make the decisions that affect his life, such as his medical care and education. Foster parents can try to influence these decisions but do not have any real decision-making power. No matter how much the family thinks of the child as belonging, neither the child nor the agency may think in those terms.

- Remember that a foster child can be removed from a foster home and that the average foster child in this country makes more than two moves in his lifetime.

HOW TO RECEIVE INQUIRIES FROM POTENTIAL ADOPTIVE/FOSTER APPLICANTS

Upon receiving an inquiry the membership chairperson should record basic information on a form prepared for that purpose such as the following example from the Long Island, New York, Open Door Society:

FAMILY CHARACTERISTICS:

Name:_____

Address:_____

_____ Zip _____

Phone:_____

Race:_____

Religion:_____

Age: Male-_____Female-_____

Children:_____

Yrs. Married:_____

Single:_____

Agency Contacts:_____

_____

Referred to:_____

Referral form( ) Date Sent_____

Referred by:_____

Date:_____

CHILD PREFERENCE:

Age:_____

Race/Natl:_____

One or Sibs:_____

Sex:_____Religion:_____

Handicap:_____

Child		Family	
Handicap	( )	Homestudy complete	( )
Sibs #	( )	Single	( )
Oriental	( )	White	( )
Black	( )	Black	( )
White	( )		
Interr'l	( )		
M/F	( )		

Inquirer's questions should be answered and adoption procedures and costs explained. The inquirer should be invited to the organization's next activity and should receive a packet of information that might contain the organization's brochures, a recent newsletter, general adoption information papers, and a cover letter with an application for membership to tear off and mail in with dues.

Important: One of the best ways of moving inquirers to adopt a waiting child is to invite them over for coffee immediately. Let them see your beautiful adopted family and view waiting children in the listing service books.

The following are some sample general adoption information papers used by the Long Island Open Door Society to send to inquirers. Your group may want to adapt some of these papers to your local situation, substituting your group's name where Open Door Society appears and varying the format.

OPEN
DOOR
SOCIETY
of Long Island, Inc.

ADOPTION INFORMATION PACKET FOR NEW MEMBERS

THE PURPOSE OF OPEN DOOR SOCIETY

Open Door Society is an association of 500 member families interested in adoption of older, handicapped and minority children. Open Door is a voluntary, non-profit, non-sectarian organization, founded on Long Island in 1969 to publicize the many adoptable children waiting for permanent homes and to provide support and adoption information to families who expressed interest in adoption of "hard to place" but "easy to love" children. Open Door works towards enlightened legislation in the areas of adoption, foster care and children's rights. In the past six years the Open Door Society has been instrumental in the adoptive placement of more than 800 children.

ADOPTION NEEDS

In recent years the adoption picture in the United States has changed rapidly. Five years ago any stable family with minimal patience could adopt an infant of similar heritage. Oriental, Black and handicapped children were rarely adopted, and such parentless children faced years of institutional living.

Due to birth control, abortions, and changing social norms, fewer and fewer infants have been available for adoption. At the same time, trans-racial adoption and adoption of older children has become more common, and more acceptable. The result has been a redefinition of adoption needs.

Currently there are still many American children in foster care and institutions waiting for the security of permanent homes. In general, adoption agencies are still eager to find adoptive parents for Black children over eight years and White children over 10. School age brothers and sisters in sibling groups of three or more, primarily minority children, and severely handicapped children of all ages are also waiting for loving homes. The greatest single need in New York State is for Black families to adopt older children.

Some children have special needs - minimal or serious handicaps. Medical subsidies are available for children with special needs regardless of family income. The distinction between a "minimal" and "serious" handicap varies greatly depending on the viewpoints of the social worker and the would-be adoptive parents.

Often sibling groups of brothers and sisters are available for adoption. They need each other and share a need for loving parents. In most cases, their agency will seek a home that can accept two or more children.

New subsidy limits for adopting a child are now in effect. For persons in need of financial assistance to adopt a waiting child please note:

Number of family members including child to be adopted	Eligible for subsidy if income is less than
2	$ 8,293
3	11,785
4	14,549
5	17,168
6	20,078

(For each family member over 6th add $1,000 to $20,078)

All families considering adoption of a handicapped child should get from their agency information on medical subsidy and should be told that medical subsidy does not depend on their income. It might be possible to have your doctor talk to the agency doctor about the child's condition. It is important to remember the discretionary authority of each local commissioner to grant subsidy.

WHO MAY ADOPT?

Adoption agencies are today more flexible than they have ever been. To be considered as an adoptive parent by an agency, certain basic requirements must be met:

Marital Status: A couple must be married for at least two years. A person can be single or divorced. A divorced person must have a legal divorce - with papers.

Age: New York State Law requires that adoptive parents be over 21 years of age. Upper age limits vary depending on the agency. All agencies are concerned that the parents be able to see an adopted child through young adulthood.

Religion: Some agencies are religiously affiliated and give top priority to prospective adoptive parents of their religion. (Remember that children are generally placed with parents of their same religion, so it helps to designate a religion broadly.

Financial Status: Modest incomes are acceptable as long as would-be parents can manage their affairs. No longer must a person have a large bank account or own a house.

Documentation: In addition to the marriage certificate, divorce papers, and medical exam, other papers to have readily on hand are the birth certificates of other children in the family, two or three personal references, proof of employment, and a financial statement (income tax form).

Agencies do not study everyone who calls them. There are a great many differences among adoption agencies, and a prospective adoptive parent should not be discouraged if their first efforts are frustrating. Each agency has its own guidelines, which might discriminate against, for example, single adoptive parents, transracial adoption, or fertile couples. An agency is most concerned with the children in its care and so prefers to seek out parents for these particular children rather than spend precious time in interviewing persons its considers unsuitable for them.

Once an agency indicates an interest in getting to know would-be parents, a first appointment is usually scheduled within a few weeks (this is the beginning of a "homestudy"). Once begun, the homestudy can take from several weeks to several months, depending on how fast the agency can handle the interviews and whether or not a child is immediately available. Again, for infants - of any race - the waiting lists are long and most agencies refuse to add any more names.

Fees: The cost of an agency adoption in New York can be divided into two parts: fee charged by the agency, and the fee charged by a lawyer to handle court procedures. A few agencies charge no fees at all. Fees charged by private agencies in New York vary, but a common practice is to use a sliding scale so the fee is appropriate to the family income. For an overseas adoption, some agencies charge a flat fee, and others use a sliding scale. The average cost for an overseas adoption is around $1,600. Included in this figure is the agency fee, lawyer fee, child's airplane fare, and the fee to immigration.

WHAT IS IT LIKE TO ADOPT?

At one time adoption was a private affair and no one talked about it. Today people are talking and writing about adoption and it is wise for interested persons to seek out information in public libraries and local bookstores. There are many books available from the Open Door Library. Open Door members are happy to discuss their experiences about adoption, their feelings and fears.

Now that you are a member of Open Door, please keep in touch. O. D. S. schedules meetings for prospective adoptive parents so that they can ask questions about the adoption process and experience. Find out about these meetings and other gatherings like picnics, parties, and potluck suppers. Attending social gatherings affords an opportunity to meet families who have already adopted. These meetings and activities are announced in our bi-monthly newsletter, which is sent to members and agencies and other parent organizations.

HOW DO I ADOPT?

In this packet you will find a list of adoption agencies in New York and other states. From the list and the materials provided in this packet, you should get some idea of the types of children available for adoption and what agencies have them.

The type of child you decide to adopt should be a family decision, but we in Open Door can help to answer questions about finances and adjustments, which might help in making a choice. Included on this sheet is a list of the members of the Open Door Adoption Information Committee. Any member of that committee would be happy to answer your questions, and make some suggestions. You might also want to attend a couple of Open Door meetings and talk to other adoptive parents, or contact some of the families in your Mini-Group* before you make your final decision.

Once you have decided on the type of child to adopt, we suggest you do the following:

1 -Contact the Open Door Adoption Information Committee to learn of the status of the adoption agencies or contacts pertinent to your adoption. They can tell you what agencies will be faster or better suited to the needs of your family. They will also explain what your particular adoption process entails.

2 -Broaden your concept of an adoptable child as much as possible. Never take a child whom you do not really want - whom you do not feel you can really love and nurture. However, try also thinking in terms of the children who need you. Love comes in many colors, in many sizes, in many degrees of health and physical prowess, in many degrees of intelligence.

3 -Be patient, but persevere. Do not be afraid to contact agencies over and over to find out what is happening on your case. If you are trying to adopt along one of the less established paths, you must be willing to put a lot of time and emotional energy into the situation.

4 -Maintain contact with the Open Door Adoption Information Committee all during the process so that they can help you overcome any problems or delays you might experience.

ADOPTION INFORMATION COMMITTEE
(put in your chairperson's name and phone number for each committee)

Chairperson -
In-Country Adoptions -
Overseas Adoptions -

Mini-Groups* To help make Open Door relate more closely to you and your family, we have begun to establish mini-groups of Open Door families living in the same areas.
Would you like to know the other adoptive families on your block? In your neighborhood? Your Mini-Group can help you!

Your Mini-Group area is_____

Your Mini-Group contact family is_____

Adoption agencies in your area are:

_____

_____

_____

For inter-country adoption, we recommend that you contact:

_____

_____

(see "Resources" in this Manual for a list)

Services currently provided by the Open Door Society of Long Island

- Information and referral to adoption agencies.
- Telephone consultation when problems arise.
- Guidance regarding the application process and the kinds of responses to expect from agencies.
- Bi-Monthly Newsletter for adoptive families.
- Reference library on subjects related to adoption.
- Living room dialogues with other prospective adoptive parents and parents who have already adopted.
- Legislative information on adoption and other child welfare issues.
- Speakers on adoption.
- Information on the availability of children including the procedures for overseas adoption.
- A variety of social activities for adoptive families such as: picnics, dances, covered dish dinners, camping trips, etc.

QUESTIONS FOR PARENTS CONSIDERING TRANS-RACIAL ADOPTION:

WHAT IS INVOLVED FOR PARENTS? FOR THE CHILD?

A. From the Parents' Point of View:

Your family will now be interracial for generations, it is not just a question of an appealing little baby. How do you feel about interracial marriage? (Editor's note: Local experience has shown that having a trans-racial family DOES increase the likelihood of interracial marriage by all children involved). How will you feel about getting lots of public attention stares, etc.? Two problems: a.) Adopted children get too much attention. b.) Other kids in family tend to get left out of attention.

What are your ideas about race? What characteristics do you think Oriental or Korean people have? Do you expect your child to have these characteristics? The children become Americanized; try to visualize that cute little baby growing into a child - a teenager - an adult - a parent. Try to think about grandchildren.

How do you raise an Oriental child in a White family? Do you raise him to have the same identity as you or your other children? Do you help him develop his own identity as an Oriental person? Should he have a Korean name? What relationship will his name have to his sense of "Who am I?" Imagine a child you know and love being sent to China to be adopted. How would you want him to be raised? As an American in China? As a Chinese?

How can you learn to know what it's like being non-White and growing up in a White society? You don't know this from your own experience, so you will have to find out to teach or educate yourself to become sensitive to your child's world. Discrimination or pressure on Oriental people is more subtle than against Black peole, therefore, less obvious to a White person, and will require more sensitivity to subleties.

B. From the Child's Point of View:

Preschool years: The people he loves the most look different from him. It will be natural for him to want to resemble those he loves, or else understand why he is different, and to learn that difference is not a bad thing.

Latency State: The child will need help in understanding his heritage and backround so he can explain and feel comfortable about his status with his pals and buddies. He needs to be able to answer the question from other kids "What are you?"

Teenage years: This is the time he tries to figure out "Who am I?" Curiosity about dating arises and you should look at your community and try to guess how many of your friends or neighbors would wholeheartedly accept their children dating your child. How would you feel if your child developed a special interest in Asia, identified himself as an Oriental person and got involved in a group for Oriental-Americans, or wanted to visit Korea?

Moving into adulthood: "Whom will I marry?" This is sometimes a different answer then "Whom will I date?" as dating is not seen as serious or permanent. Do you have an idea now that your child would probably marry a White person? An Oriental person? Why? Would you recommend for or against an interracial marriage for your child?

Excerpts from OBSERVATIONS ON PLACEMENTS OF OLDER CHILDREN
by Linda Biggert, former case worker Talbot Perkins Home for Children, Brooklyn, New York

There are an incredible number of children who need permanent homes, and who come in all sizes, shapes and colors. Many are school-age children, mostly boys between six and fourteen. Older children were once considered "unadoptable." However, today, more and more people are adopting these "unadoptables" and are making it.

Most of the children show signs of deprivation. Many appear to crave attention and affection from anyone who is willing to give it; others don't want to be touched. They are all angry about the cards they have been dealt; few are able to express their anger in any constructive fashion. Understandably, they distrust everyone.

They appear to have a few dreams and hopes. They cannot love because they do not trust - and learning to trust takes a long time. Older children who move into adoption are terrified of, and expect rejection. They would therefore rather do the rejecting themselves than wait anxiously to be rejected by others.

All of the children are emotionally immature and regress still further when placed for adoption. They usually have few internal controls and a low frustration tolerance. They can throw some incredible temper tantrums and most of them do at one time or another. Most of the children have done poorly in school and are a grade or two behind in school. Their self-images are very poor. They generally consider themselves to be the bad children of bad parents. They lie frequently to protect themselves. Many are very involved in food: either as a means of obtaining security or simply because they haven't forgotten what it is like to be hungry. Many of the children, even at eleven or older, are nightly bed-wetters. They know a lot about the seamier side of life, particularly sex. And they often come forth with their mind-boggling words of wisdom at the most embarrassing moments.

Older adopted children are much more sensitive and perceptive than the usual run-of-the-mill children. They are more apt to pick up weaknesses and negative feeling, and are capable of using this information at every possible opportunity. They tend to be highly competitive and manipulative, particularly girls, who appear to have much more trouble in adjusting to a new home than do the boys.

This description sounds rather negative, but surprising enough most of the children can and do "make" it in adoption. As a rule, they are remarkably intact considering all they have gone through.

What is it like to adopt an older child or a sibling group? Initially, it is probably horrible, confusing, chaotic, frustrating, and stressful. Coping with a 75 pound eight year old who acts like a four year old is no laughing matter. But by the time families go to court, they all feel that the joys, happiness and sense of belonging to each other was well worth what they have gone through. Someone has said that adopting older children is more like a marriage than having a child. This is true, but it is a marriage without the advantage of love.

Learning to be a family and learning to be parents to half grown children require that a couple be ready, willing and able to give at least six months,

and sometimes more of their lives to chaos. Adopting couples frequently expect themselves to love their children within a few weeks after placement, but that is unrealistic. More often, parents experience a daily battle just to keep from disliking their new children. If parents can accept this as being normal, they go a long way in alleviating the guilt that arises. They must realize if they don't know, that all parents go through times when they resent their children's demands. It is important for a new adoptive family to just learn to live together. Love comes slowly.

New parents must be prepared to give a great deal before they get any kind of return. They must be prepared for the comparisons the children will make between them and the bio-parents and foster parents from the past. They must cope with their children's anger at bio-parents for rejecting them; much of which is often directed at them. Adoptive parents have to accept their kids where they are and not expect the children to behave according to their preconceived notions.

All parents, including adoptive parents, make mistakes. Parents who adopt older children should be prepared to make a lot of them. What they should remember is that no mistake, except threatening to send them back, is irreparable.

Sometimes the children need professional help in resolving some trauma from the past. Sometimes a good family is not enough when a child has been rejected four or five times, been sexually abused, or the victim of a sadist. It is important for a family to seek help when they need it. They haven't failed when they seek professional help; their ability to see a problem and do something about it is a sign of strength.

Everyone agrees that the child's adjustment is a difficult one, at best. But what about the adjustment the parents must make? Adults have certain ways of life, definite value systems, definite ways of relating to others and definite expectations of others. They must be flexible enough to change if they are adopting. Just how the new parent can accept and adapt to changes determines the difficulties and degree of success of the adjustment.

The first problems families encounter are those of management. Setting up routines can be overwhelming and exhausting . . New parents must establish a workable routine as soon as possible after placement. Routine helps to provide a certain amount of structure and security for the children and the parents; and helps parents get work done without exhaustion and frustration. Then everyone can get down to the business of learning to be a family. Without routine, families tend to get locked into trivial annoyances, and have no time to concentrate on relationship building.

New parents of infants or older children must adjust to a loss of freedom and privacy. When older children are adopted, freedom and privacy disappear instantaneously. Although it is easy for new parents to fall into the trap of devoting all their time and energies to their new children, it is essential that new parents re-establish a certain amount of freedom and privacy for themselves and for each other. It helps to have an involved extended family who can "pitch in".

It is a tremendous responsibility to adopt, particularly an older child. A baby coming into the family makes many physical demands; older children make many demands, most of which are emotional. Parents often find themselves completely drained during the early weeks. Often they complain that the children seem to be trying to make up for all they have

missed in the past. New parents accommodate the children by giving everything they have to give, but this isn't healthy for the family as a whole. Parents have to accept the fact that they cannot and should not try to make up for all the children have missed in the past. Emotionally exhausted parents are no use at all, and both parents and children must learn to accept the children's past as a reality and a part of the children forever, something which can be shared but never eliminated.

Some new parents appear to have trouble with learning to express their angry feelings. Children should know why their parents are angry with them, and they need an atmosphere where their own anger can be expressed, and even encouraged. Children's anger is threatening to many adoptive parents, but parents must be helped to be aware of their children's needs to express anger, and their own needs, too.

Newly adopted children need affection. It is one thing to tell a child that he is liked and cared about; and quite another thing to show him with hugs, kisses, and pats. The words mean a great deal and must be expressed over and over, day in and day out. And if the words are to have any meaning, they must be reinforced with actions because newly adopted older children have probably received many unfulfilled promises in the past and have experienced so much betrayal that words alone mean nothing.

HOW TO HOLD AN ADOPTCHAT

Adoptchats are informal living room meetings arranged to give people a chance to sit down and talk about adoption. Generally, adoptive parents invite one or two other adoptive parents and several persons who are considering becoming adoptive parents to come to their house for coffee, light refreshments and conversation about adoption. At some adoptchats, topics of discussion are chosen beforehand and publicized. At others, the format provides for each person in the room to tell briefly his involvement in adoption and discuss any aspect of adoption which the group present seems most interested in. At still others, the format is for a person recognized as an "expert" in some area of adoption to make a short presentation which will provoke discussion. The emphasis at most adoptchats is personal involvement in the group discussion, to share ideas and stories that motivate others to adopt, to assuage the fears of those contemplating adoption, to focus on the need for change in the system, to educate and provide mutual support in those aspects of adoption which create problems for the adopting family. Feelings about possible infertility, the adoptive parent/child relationship, open records, and local agency practices might be discussed. Generally attendance is limited to less than 20 so that everyone can participate as fully as possible. The tone is generally set for informal, friendly exchange.

People who have already adopted often hold adoptchats, especially to deal with problems of interracial adoption, single parenting, and adopting the older or handicapped child. Older adopted children have also benefited from adoptchats to handle identity crises.

7. HOW TO SUPPORT APPLICANTS AND PARENTS

Adopting can be complex and frustrating. Group meetings or a one-to-one buddy system can improve the chances that applicants will not give up and will complete the adoption process. Adoptive parents experiencing difficult placements need the sympathy and understanding of other families who have "been there."

A group should establish a system of frequent concerned contact and 24-hour telephone availability to anyone beginning a difficult adoption. The group might also provide some respite to the new adoptive family by offering to take the difficult child into a friend's home for a visit overnight or for the day.

A large part of your work is indeed the active support of adoptive applicants - helping them locate children, understand the adoptive process, cope with the frustrations inherent in adoption, and work with the agency to get the adoption completed.

HOW TO HANDLE GRIEVANCES AND ADVOCATE FOR INDIVIDUALS

There may be points at which you will have to become an advocate on behalf of the adoptive applicant. For example, you may need to encourage agency staff to issue application forms, to proceed to the next step of the adoptive process, to modify a position, to consider the family for specific children, to explain so that an applicant understands the process.

It is important for you to devise and publicize internally a plan for handling complaints from applicants. The following guidelines are suggested, but are by no means comprehensive:

- Encourage the adoptive applicant to put the nature of the complaint in writing, giving as much specific information as possible. Assure the applicant that this action will not ruin their chances of adoption. Sometimes applicants are reluctant to complain for fear of agency disapproval. It is equally important to act in such a manner that you do not in fact alienate the agency and create antagonism toward the family.

- Call for an appointment and go to the agency with the intention of discussing the issue with the worker involved with the family.

- Check the facts with the agency. Where they differ with your family's understanding, work to clarify for both the agency and the family until a working agreement is reached.

- Decide what kind of a problem you are dealing with. If it is a problem of personalities, direct your work at resolution of the problem or a change in caseworkers. If it is a problem of philosophical difference, work to resolve that difference. If the problem relates to a lack of information, either supply the information or direct the family or caseworker to a resource that can. If it is a matter of frustration with the process, assure both the family and the caseworker that you are willing to work toward minimizing the frustration. If the complaint is very specific, address your efforts to resolution of the problem by confining yourself to that one issue.

- Throughout your interaction with the agency try to be agreeable. At the same time, it is important that you be insistent and firm in expecting agencies to function in compliance with laws and departmental rules and regulations. It is not as easy to insist that agencies conform to accepted philosophical considerations such as the child's need for psychological parents, the adopting parents' need to make certain decisions for themselves, or the idea that adoption ought to be a screening in, rather than screening out process.

- Clarify your role as a non-emotional third person with an interest in the children at stake. To both the agency and the family, make it clear that you see the family as a resource for a waiting child, and that your involvement is on behalf of the child.

- Keep both the family and the agency apprised of what is being said and done through letters to each with copies to the other.

- If and when it becomes clear that the agency is unable or unwilling to work toward resolution of a problem, send copies of all letters to the Department of Social Services (if it is a public agency), or the Board of Social Welfare (if it is a private agency). (See description of decision-makers for addresses). Appeal to these state agencies to bring about a resolution by using the power they have to direct, supervise, and hold accountable those agencies under their auspices.

- If your state agencies are not responsive to the problem, again duplicate all letters written to date and send them to the Citizens' Coalition for Children and ask their help.

- As a last resort, and by this time you will have checked out and weighed the importance of the issue, work to obtain exposure of the adoptive family's problem through the media. (See also "How to Move Bureaucracies" and "Description of the Decision Makers.")

HOW TO MOVE PARENTS TOWARD ADOPTING AVAILABLE CHILDREN

Many parents think of healthy infants when they think of adoption, but such children are not readily available. Waiting children are school age, handicapped, and/or minority race. You can do several things to move applicants toward adopting available children:

- Show the Adoption Service Listing Books. Assist the parent in making contact. Be available for support as needed.

- Discuss the concept of parenting. Provide training in recognized methods of parenting such as parent effectiveness training, transactional analysis, or direct potential parents to such training. Parenting sessions are offered through adult education courses, community colleges and universities, rehabilitation programs, mental health facilities, community service organizations, etc.

- Discuss handicaps. Encourage the potential adoptive family to consider handicaps they have known or feel comfortable with.

- Discuss age. Ask potential parents to think of the age group they enjoy being with. Encourage involvement in local children's programs. Encourage weekend parenting of institutionalized children or summer parenting of a Fresh Air Fund Child (Contact the Fresh Air Fund, 1327 Union Street, New York, New York 12308). Make arrangements with nearby institutions, who may offer training for such involvement.

- Discuss race. Encourage potential adoptive parents to carefully examine their own prejudices, to study the child's culture, to think about the fact that the child will be the same race when he is grown that he is now.

- Throughout discussions:

    - Include parents who have adopted the children under discussion. Their experience is valuable. Their enthusiasm contagious.

    - Call in recognized experts to explain the ramifications of various aspects of available children's characteristics.

    - Make the children visible through inclusion in group activities.

    - Encourage the parents to read (see bibliography) and involve themselves with the kind of child they are considering adopting.

- Show films and videotapes designed to motivate adoption of available children. Arrange for discussion after the film. (see the Manual section on "Public Relations Through Media").

- Set up discussion panels of parents who have adopted; children who have been adopted; parents and social workers involved in adoption; or any meaningful combination of the above.

- Provide a format for and encourage parents to share their adoption story. Each story is unique and can be a motivation to another.

- If you have the resources, arrange for each potential adoptive family to have contact with another adoptive family.

8. HOW TO SUPPORT CHILDREN

Citizen groups can provide services to children throughout the placement process. Children's institutions should be visited by groups to see that children are not staying there unnecessarily and that there are adequate facilities for them. If an institution is found lacking, see the Manual's section on "How to Change Systems".

If a child is in foster care, that child has a right to have his foster care status reviewed by the court in eighteen months and the right to return home or receive adoption services if the review judge so orders. It may be that a foster child known to the group could be freed for adoption on grounds of abandonment or neglect. Consult the Manual section, "The Rules of Child Welfare;" also contact the Coalition, and an attorney.

A child who is legally free for adoption has the right to be registered with the New York State Listing Service. If the child is not registered or pictured and you think he should be, contact the Listing Service and Coalition.

Older adopted children or those about to be placed for adoption can benefit from group meetings dealing with such issues as separation and identity. You might be able to find a child psychologist to donate time to lead these sessions.

HOW TO HELP COURT REMANDED CHILDREN

It is possible to get Family Court judges to award temporary custody to families of some children, such as "juvenile delinquents" (JD's) and "persons in need of supervision" (PINS). Such a program was undertaken by Open Door Society of Long Island in 1972. This citizen adoption group found volunteer homes for over 120 children who otherwise would have been sent to institutions or jails. There were many problems with the program, such as no financial or services support, and the extremely damaged state of the children. Although the program was discontinued, it had lasting effect in terms of the positive family experiences for the children, for example, the proof that a family can be found for any child, the proof that a family does not have to be classic middle class to make placement successful, and the demonstration that the majority of court-remanded children can return home to their biological families. ODS reunited 50% of the families with lay counseling.

9. HOW TO WORK WITH LOCAL AGENCIES

It is important that a citizen adoption group establish a working relationship with the caseworkers, supervisors, and agency directors of all local child caring agencies and institutions. The steps toward establishing this relationship are:

- Research of the agency's policies, funding, child placement statistical records, etc.

- Formulation of a few specific goals to achieve with that agency, such as a policy change or use of citizen adoption volunteers to enhance a particular program.

- Meeting with appropriate agency representatives in order to engage them in reaching goals.

- Follow up by approving the agency's change and by setting new goals.

If, however, the agency makes poor progress toward needed improvement, (see Manual section "Description of Decision Makers: Where to Complain About Local Services"), it is important to remember that friendliness with agency staff is not the ultimate goal, but it is the easiest means of reaching children's needs in many cases.

HOW TO RESEARCH AN AGENCY'S POLICIES AND PRACTICES

Prior to contacting an agency, try to find out as much as you can about its policies and practices. You can interview clients (parents, children) for general practice information. You might use your own records of client experience with agencies or the results of a questionnaire. Contact the Coalition for sample questionnaires. You can ask the agency for a copy of its written adoption policies, which are required to be made available upon demand by State Board of Social Welfare Rule #35 and DSS Regulation #455.

Statistical records, such as the number of children in care, those available for adoption and those placed for adoption, the length of time in care, the number of subsidized adoptions, and the amount of money budgeted for various children's services under Title XX should be requested from the agency, the State Department of Social Services, and/or Coalition. You have a right to statistical records, but not to personal information about individual cases, which is by law confidential. The law does allow a person outside the agency to learn about individual cases after being sworn to confidentiality. As a precedent The Children in Placement Project (see Manual section on "Miscellaneous Organizations") uses volunteers to review court caseloads in order to find and move children in need of adoption.

Goal setting:

After study of the agency in question and discovery of problems set a few specific goals for improvement. Be careful to set your goals in order of priority. Seek the goals one step at a time. Do not try to revolutionize an agency's practices overnight as you will only spark defensive reactions.

In setting goals you should consider engaging the agency in cooperating with your group and using volunteer services to improve their programs. This is a positive way to approach an agency. Caseworkers are overworked and can benefit

from the help of volunteers protecting their time to do the tasks that only they can do. Volunteers can help with:

- Recruitment of applicants and referral to agencies. Be sure to arrange for immediate follow-up by your group and the agency when inquiries are received.

- Education of applicants about the adoption process and available children at an initial meeting of potential parents and through visits by applicants to adoptive homes. Applicants can be referred by agencies to a citizen adoption group for these services.

- Counseling and support of applicants throughout the adoption process through availability by telephone, literature, and individual/group meetings. A buddy system may be offered.

- Aid in locating children for families by making photo listing books available to adoptive applicants in the homes of adoptive parents and at group meetings.

- Consultation on agency policies and procedures and cooperation in seeking changes in state practices that negatively affect the local agency's adoption efforts.

HOW TO MEET WITH AGENCY REPRESENTATIVES

Arrange to meet with the persons who are responsible for making the changes you seek. This will likely be the agency director. (see Manual section "How to Move Bureaucracies"). Assume a friendly, businesslike attitude that gives the impression you know your facts, want to cooperate, and are strong and capable enough to apply significant pressure if refused. Do not threaten. Listen to the other side. They may have legitimate barriers to achieving your goals in which case you and the agency staff might cooperate in removing those barriers.

Once you and agency staff understand specific needed changes, set reasonable dates forreaching goals and make arrangements to check agency progress at that time and at an intermediate point in time if necessary.

There are some attitudes detrimental to children that you should try to detect while working with agency staff. Once you detect these attitudes, you will have to work tactfully to engage staff in changing them. Example attitudes include the following:

- Sometimes caseworkers are ambivalent about who is really the agency's client. The primary client should be the child. That is, the agency should commit itself to finding homes for available New York State children, not to finding healthy White infants for its applicants. The applicants, however, should also be given the rights and courtesy of clients, if they are applying for available children. Servicing such applicant clients serves the children in the end. There is also a danger in viewing the child as the only client: The waiting child client cannot advocate adoption for himself, but an applicant client can, and obviously advocacy for adoption is needed.

- Caseworkers may view the child as belonging to the agency. They may make references to "our child." This is a dangerous attitude because it refers to the child as property without rights to a permanent home separate from and above the agency's convenience and financial resources. This attitude can justify interminable foster care unquestioned by anyone else who does not "own" the child as the agency does.

- Some caseworkers have inappropriate attitudes, claim some critics, about the adoptability of waiting children. Innovative agencies like Spaulding have shown that any child who can benefit from family life is adoptable. Some just need special placement efforts.

- Agency standards sometimes require adoptive parents to fit the "perfect" upper middle class White stereotype in every way. In reality, this is not the most relevant qualification for parenting.

- The feeling that child care is a business can negate the human values involved. It is true that agencies are limited by financial resources. But agency staff must seek solutions to financial problems and direct themselves toward children's needs above the agency's needs. This may mean conducting a fund raising campaign, working evenings to place children with working families who cannot meet daytime appointments, etc. Watch out for sacrifice of children's needs to bureaucratic inflexibility.

Finally, to really get a caseworker on your side, it has been found most effective to pick out one of his actions that you strongly approve and send a complimentary letter about it to the highest government supervising official, such as a commissioner of social services, and a copy to the caseworker, even though that person probably will hear about it from above. Also, if a caseworker's position is threatened by unreasonable budget changes, advocacy to keep the worker and even hire more will win the positive cooperation of the child care department staff.

10. THE SOCIAL FUNCTION OF LOCAL GROUPS

There needs to be a balance between the amount of work a local group does and the amount of socializing its members engage in. Each group has to establish that balance internally in terms of the image it wants to project in the community, and the readiness of individual group members for active involvement in the work to be done. Be wary, however, of over-emphasizing the social function at the expense of advocacy for children.

Some of the advantages of socialization are:

- Your members can really get to know each other as friends and common interest companions. The esprit-de-corps that develops through informal get togethers is the backbone of the cohesive front a group can present when a show of numbers is called for.

- Social gatherings give our adopted children a chance to know each other which in turn can minimize any feelings of negative uniqueness and maximize their concept of adoption as an accepted, beautiful way to have a family.

- Social getherings offer a non-threatening occasion for applicants and parents to associate with others who have been through the process and are willing to share their experiences, listen to their questions, and respond supportively.

- Such gatherings also offer a non-threatening opportunity for agency personnel to associate with adoptive parents.

- Some groups have involved children freed for adoption in their picnics, parties, etc., to give prospective parents a chance to see the children. In such a situation, prepare the adults to emphasize the event and avoid "looking over" the children insensitively.

- At social gatherings casual availability of the Adoption Listing Service Books, and attractive display of posters and fact sheets can reach some potential parents who would shy away from a more direct approach about available children.

- One final observation about the positive aspects of group socializing. It's fun.

Some common social events are pot luck suppers, a holiday family fair, picnics, dances, and parties. Any of these social functions can become fund raising events as well.

11. HOW TO RAISE FUNDS

Citizen adoption groups are frequently low on funds because their members have several children and they spend their time advocating for children rather than raising money, so consider first how to stretch the available dollar.

Use volunteer help as much as possible for services. Use bulk mailing rate or fourth class for printed materials. Try to borrow the use of equipment from churches or companies for printing, rather than purchasing machines. Meet in church basements or homes rather than in expensive halls.

For a local group, fund raising includes collected membership dues, newsletter subscriptions, and money or service contributions.

Dues must be determined by the group members. They can be as simple as a flat rate to everyone joining or they can be structured. They should be sufficient to cover expenses. Structured dues categories might include: adoptive parents, potential adoptive parents, concerned citizens, agency (or childcare) affiliates, newsletter subscribers, business or civic memberships, or any other category that suits your community.

Some ongoing fund raising projects are selling pins, posters, pictures, cards, tee shirts, decals, etc. This selling may occur at all events. For a one time big fund raiser you may call in professionals who will entertain and split the profits. If there are talented individuals within your membership, call on them and ask if they will contribute their talent at less than their regular fee or for free. Some possible large fundraisers are concerts, magic shows, rodeos, dances, and theater evenings. Some carnivals and traveling shows will let you staff their booths for an evening at a healthy sharing rate.

Other fund raisers with a medium return are group dinners, arts and crafts shows, swim parties, dances, children's fashion shows, barbeques, picnics, and garage sales. Some groups approach local merchants and obtain an object that can be raffled off at each meeting. Others have a once-a-year raffle with a big prize such as a color television or a weekend vacation.

Membership in your organization should be more attractive than an appeal to help children. It could promise a given number of informative newsletters, reduced rates for the price of any given events, and organizational reports and research.

For additional specific ideas for fund raising, see the Sperry and Hutchinson resource booklet, "Ways and Means Handbook" (write S & H Co., P. O. Box 935, Forth Worth, Texas 76101).

Keep an accurate list of where your money comes from and where it goes. Include a list of products and services offered to you for free. If you ever need to have your records audited, you may need to present this information.

You may want to apply for foundation funding to provide a specific service. Check your library for guides to foundations so that you save time by approaching only agencies that fund your type of service. Start by sending a brief one or two page outline of your proposal concept and offer

to meet with foundation staff to discuss it further. Address correspondence to the person in the foundation who handles your area of funding. Follow up the letter with a telephone call in two weeks.

If a foundation is interested in your idea, submit a formal proposal. Be sure to follow the foundation's proposal outline if they have one. A common proposal outline is:

GRANT PROPOSAL OUTLINE

I. Statement of the Problem and Background

II. Project Objectives

III. Project Approach and Work Plan

IV. Evaluation Plan

V. Project Organization and Staffing

VI. Implementation Potential

VII. Budget

HOW TO GET LIMITED CORPORATE SUPPORT

You can get a small amount of support from a business on a one-time basis to make a specific purchase or to finance a specific trip or event. First find out the name of the person who should receive your request. This would be the company chairperson or the person in charge of charitable donations. Write that person a letter stating specifically what you need, i.e. a used typewriter, travel fare to a conference, etc. Explain the importance of the donation in terms of how it will effect the community and children in general. Indicate that you honor corporate sponsors in your newsletter and that contributions are tax deductible if they are. Close your letter by saying that you will call next week and that you will be happy to meet in person with any appropriate staff member.

HOW TO PROVIDE PAID PROFESSIONAL SERVICES

Increasingly the citizen-advocates and the groups with which they affiliate are being recognized as professionals. That recognition has been gained through the citizens' identification and presentation as conscientious members of the childcare community intent on improving the childcare system.

Citizens have basically learned through self-teaching and a form of apprenticeship with already established advocates. They have educated themselves about childcare issues; learned to recruit and train parents for adoption; learned how to work to free children for adoption; and become expert in offering the supportive services adoptive parents need before, during and after adoption; developed methods for monitoring the childcare system. Having taught themselves, they have taken it upon themselves to do what professionals do.

One such example is the Council of Adoptive Parents in Rochester, New York (CAP), a small group of adoptive parents who approached local agencies to see if they could work to recruit parents for children waiting for adoption. The agencies agreed to let them picture five children and describe them in hopes of finding adoptive families. The group began a photo-description book called the CAP Book. Two years later the book had become so effective and their recruitment record (26%) so impressive that the State of New York funded them to serve as the base for what is now the New York State Adoption Service - a statewide photo-listing adoption exchange program.

Another example of citizen turned paid professional is the Council On Adoptable Children in New York City (COAC). Originally a small group of parents who met to discuss their interracial adoptions, the group is now funded at almost $200,000 and is recognized as the most viable source of adoption information in New York City. Some of its specific professional services include a counseling program for adoptive applicants, maintenance of a central file of readily available children and families, the use of media for recruitment, support services provided after adoption, and publication of special newsletters - one specifically for members of boards of directors of individual agencies. Approximately 50% of the budget is spent on family services. Another 25% is spent on media services to recruit parents. The remaining 25% is spent for administration and office management which in turn includes staffing telephones during recruitment campaigns, responding to information and referral demands of citizens and agencies alike, and maintenance of the statistical information which is collected and disseminated by the office.

12. CITIZENS' COALITION FOR CHILDREN, INC. (CCC)

PURPOSES

Coalitions of groups are formed in order to share ideas on functions of local groups and to work on state level issues with efficiency and the strength of numbers.

Some coalitions form on a regional basis, but a state level seems most useful for groups interested in childcare, because decisions affecting the childcare system are not made on a regional level, but at the state level.

HISTORY

The Coalition in New York State first met in July 1973 to improve the poorly functioning Adoption Exchange and to cooperate in disseminating legislative information. It has consisted of approximately a dozen citizen adoption and foster care groups. During the first years of its existence, members learned about the legislative and administrative systems, gained positions on many advisory boards, successfully pressed for systems change such as improved grounds for termination of parental rights, mandated adoption services, and an adoption photo listing service. Coalition has also promoted the sharing of information and techniques between groups. As a result, local groups have become informed child advocates and skilled adoption recruiters and counselors.

There are many characteristics of the organization that contributed to its success. Although only one or a few people ever worked at the center of the organization at any one time, those people always were willing to get the job done. In addition, the organization wasted none of its limited energy on fund raising. Groups paid $50 annual dues and every penny was spent carefully. The organization's leaders had the appropriate mindset, i.e. that the state was created and supported by the people and had to be responsive to the people to bring about changes in the childcare system.

The Coalition chose reachable goals and used a problem-solving, research-oriented approach, such as survey questionnaires to identify problems. Representatives tried to use engagement before confrontation and to pursue goals with integrity and tenacity. Rather than beat down the opposition, Coalition has tried to move decision makers by persuading them or by identifying and moving the powers that control the decision makers.

Member groups have remained committed to Coalition because it has succeeded; it has provided frequent, instant communication; it has given support to local groups; and it has encouraged attendance at meetings by maximizing convenience of location and services during meetings.

HOW TO FORM A COALITION

In order to form a Coalition, the convenor can identify possible member groups by contacting NACAC. Each of these groups should be invited to an organizational meeting at which goals are set and tasks are assigned to specific persons. Some of the goals set at the formation of the Pennsylvania Coalition for Children are:

- Establish a steering committee and a communications system and get more groups to join
- Promote the implementation of a statewide adoption photo listing service
- Begin a public education program by participating in North American Adoption Week
- Study current childcare law and regulations and make appropriate recommendations for improvement
- Promote the establishment of a State Adoption Advisory Council and get representatives on it and on other advisory bodies.

SERVICES

The Citizens' Coalition for Children received a Title IVB Grant administered by the New York State Department of Social Services in August 1976.

Services provided by the project office are:

- Training and aid in forming citizen adoption/foster care groups through publications and workshops.
- Consumer viewpoint for decision makers in the childcare system through meetings and membership on various committees and boards.
- Information referral on many childcare issues, programs and available services.
- Up-to-date information through bimonthly news bulletins and frequent internal memos and packets to member groups.
- Use of media directly and through training of member groups to bring children's needs to public attention.
- Systematic training program for parents and caseworkers in difficult adoptions.
- A network of adoptive parents who share experiences and provide mutual support.

BY-LAWS

Citizens' Coalition For Children

By-Laws

1. Name

(A) The name of this organization shall be 'Citizens' Coalition For Children, Inc."

(B) The organization may also be referred to as "CCC" or "The Coalition."

2. Purposes and Functions

(A) Coalitions purpose is to bring together adoptive and foster parent groups throughout the state, in order to educate the community at large concerning the right of every child to permanence and continuity of parental care. To these ends, The Coalition may

(1) Conduct research and disseminate information in the field of adoption, foster care, services to preserve families, children's rights and related subjects.
(2) Act to create greater public awareness by developing and distributing information related to the needs of children.
(3) Expedite access by potential adoptive and foster parents to existing authorized public and private child care agencies.
(4) Advocate public and administrative policies in the best interests of children.
(5) Cooperate with legislative and judicial bodies and with public and private agencies in providing information and counsel in such matters, except as limited by Article 16 hereof.
(6) Retain counsel and join or undertake litigation on behalf of children.
(7) Provide technical assistance and/or money grants to bona fide organizations, agencies or individuals for innovative programs which advance its purposes.
(8) Solicit contributions and donations for carrying out its purposes.
(9) Do any other thing which will advance the purposes stated above.

(B) The Coalition will not operate any adoption or foster care program nor engage in the placement or care of children.

(C) The Coalition shall also comply with all limitations on its activities set forth in its Certificate of Incorporation.

(D) The corporation may provide technical assistance to persons wishing to organize adoptive or foster parent groups.

(E) Nothing contained herein shall authorize The Coalition to undertake or carry on any activities specifically prohibited by law.

3. Offices

(A) The principal offices of The Coalition shall be at Main Street, Sidney, New York. The Coalition may maintain or authorize offices in other locations.

(B) Not withstanding any other provisions in these articles, the corporation is organized exclusively for charitable, educational, religious and scientific purposes as specified in Section 501 of the Internal Revenue Code of 1954 and shall not carry on activities not allowed by a corporation exempt from Federal income tax.

4. Coalition Membership

(A) Membership shall be open to all groups, corporations or associations of adoptive or foster parents with goals similar to those of Coalition and not affiliated with child care agencies or supervisory bodies.

(B) Associate membership shall be open to any individual or group with goals similar to those of The Coalition.

(C) The Coalition shall not assume any obligations nor shall it be responsible or liable for any actions of member groups or associates by reason of granting membership in The Coalition, and The Coalition shall have no control over the separate individual affairs of such member groups and associates.

5. Coalition Policy

(A) No individual person or member group may speak for The Coalition on any matter unless said comments have been approved by the membership as provided herein, or unless The Coalition has authorized said person or group to proceed at its discretion.

(B) This paragraph recognizes that our member groups have confidence in each other, and also recognizes that from time to time representatives may be called upon to make policy statements without sufficient time to contact other member groups.

(C) Any policy statement made on behalf of The Coalition without prior authorization shall be immediately reported to The Coalition.

6. Member Organizations and Associates

(A) Admission of a group to membership shall occur after majority approval of The Coalition, payment of the membership fee, and submission of a list of its officers, directors, etc.

(B) A member organization shall be entitled to use the subtitle "Member Organization, Citizens' Coalition for Children." However, this and all other rights and privileges of membership shall cease upon suspension or termination of membership.

(C) Membership is subject to continuing qualification of the member organization in accordance with paragraph (A) of this Article 6, and to the active participation of the member group, i.e. absence from no more than two (2) consecutive meetings. The Coalition shall have the power by a two-thirds vote to suspend or terminate the membership of any member organization for violation of these by-laws, for any action or conduct contrary to the objectives and purposes of The Coalition. The suspension or termination of the membership of any member organization shall only take place following a hearing before The Coalition. Any member organization may appeal the decision to the next regular or special meeting.

(D) Admission of an individual to associate membership shall occur after payment of the associate membership fee.

(E) Associate membership is subject to the continuing qualification of the associate member in accordance with paragraph (D) of this Article 6. The Coalition shall have the power by a two-thirds vote to suspend or terminate the membership of any associate member for violation of these by-laws, for any action or conduct contrary to the objectives and purposes of The Coalition. The suspension or termination of the membership of any associate member shall only take place following a hearing before The Coalition. Any associate member may appeal the decision to the next regular or special meeting.

7. Regular and Special Meetings

(A) Regular meetings of The Coalition shall be held three (3) times annually, on such dates and in such places as may be set by the officers. Special meetings may be called at any time by the president or by any three member groups.

(B) All meetings shall be called by written notice in The Coalition newsletter or calendar, or by letter, mailed at least two (2) weeks in advance of the meeting.

8. Voting and Quorum

(A) A meeting shall not be properly constituted unless representatives from at least two-thirds (2/3) of the member organizations are in attendance.

(B) Each member organization shall be entitled to three votes, which may be exercised by the authorized representatives of said member organization. No individual representative shall exercise more than one vote. The names of the authorized representatives shall be submitted by the member organizations to The Coalition's secretary whenever changed. Representatives other than the authorized representative may vote provided that notice is given to The Coalition president by the member organization. Coalition will not accept as a representative a person employed in adoption or foster care agencies or supervisory bodies. Coalition does not recognize adoptive or foster parents as employees of agencies or supervisory bodies solely by virtue of this status.

(C) The Coalition welcomes and encourages attendance at its meetings by more than three representatives per group.

(D) Associates shall not be entitled to vote at Coalition meetings or to hold office.

9. Coalition

(A) To the extent necessary for any purposes the entire voting membership shall constitute its board of directors.

(B) Responsibilities and powers of The Coalition shall include the following:
   (1) Establishment and declaration of policies of The Coalition and management of its affairs consistent with these by-laws.
   (2) Election of the president, vice-president, secretary and treasurer of The Coalition.
   (3) Creation of such committees as it deems necessary.
   (4) Definitions of the duties of officers and committees of The Coalition consistent with these by-laws.
   (5) Development and carrying out of plans for adequate financing of The Coalition.
   (6) Establishment of annual dues payable by member organizations.
   (7) Determination of annual subscription rate for individuals interested in receiving The Coalition's newsletter.
   (8) Oversight of financial affairs including approval of the annual Coalition budget.

10. Officers

(A) The officers of The Coalition shall consist of the president, vice-president, a secretary and a treasurer. The officers shall be elected for a one-year term by The Coalition at its first meeting next following the annual meeting. The officers shall serve for one year or until their successors are elected. Vacancies among officers shall be filled for their remaining term by The Coalition at its next meeting.

(B) The president shall preside at all meetings and shall perform such other duties as are directed by The Coalition.

(C) The vice-president shall exercise the duties of the president in his or her absence or disability.

(D) The treasurer shall, subject to the provisions of the by-laws and to such regulations as may from time to time be prescribed by The Coalition, have the custody of the funds and securities of The Coalition and shall supervise the keeping of proper books and accounts of The Coalition's financial affairs and assets. The treasurer shall report periodically to The Coalition its financial affairs and status. The treasurer shall perform all other duties incident to the office of treasurer or which The Coalition may direct. The treasurer shall be responsible for the filing of such tax returns and other information as shall be required.

(E) The secretary shall keep the minutes of all proceedings of The Coalition. The secretary shall attend to the giving and serving of all notices to the member groups as requested by the president, or other notices required by law or by these by-laws. The secretary shall affix the seal of the corporation to deeds, contracts and all other instruments in writing requiring a seal, when duly signed, and shall perform all other duties incident to the office of secretary.

(F) Officers shall be elected from among members of member groups except for the restriction found in paragraph (B) of Section 8 of these by-laws.

11. Committees

(A) Except as otherwise specified in these by-laws, The Coalition may appoint such committees as they deem proper.

12. Relationships with Member Organizations

(A) The Coalition shall not control, be liable for, or responsible for any actions taken by its member organizations, by their members, or by associates of The Coalition.

(B) The Coalition may enter into contractual arrangements with a member organization for the provision of reciprocal or mutually beneficial programs, facilities, services, staff and/or funding arrangements; including provision for fund raising and the administration of grants. The Coalition's liability shall not extend beyond the written terms of such agreements as ratified by The Coalition.

13. Fiscal Year

(A) The fiscal year of The Coalition shall begin on July 1st of each year and end on June 30th of the following year.

14. Ratification and Amendment

(A) These by-laws shall be ratified in writing by the policy-making bodies of two-thirds (2/3) of The Coalition's fully paid member groups and shall take effect from date of adoption.

(B) Amendment of the by-laws may be made at any regular or special meeting of The Coalition at which a quorum is present by majority of the member groups, provided however, that notice of the proposed amendment is contained in the notice of such meeting. Amendments must be ratified in the same manner as the by-laws.

15. Waiver of Notice

(A) Any notice required to be given by the by-laws may be waived at any time by the person entitled to such notice.

16. Limitations

(A) No part of the net earnings of the corporation shall inure to or be payable to or for the benefit of any private person or individual whether a donor shareholder or otherwise, and no substantial part of the activities of The Coalition shall attempt by any means to carry on propaganda or to influence legislation, nor participate in, or intervene in political campaigns on behalf of any candidate for public office.

17. Rules of Order

(A) "Robert's Rules of Order" as most recently revised shall be the authority for procedures in all cases where they apply, to the extent not inconsistent with these by-laws.

18. Fees

(A) Coalition member groups shall by majority vote establish membership fees, reimbursement policies, and annual budgets.

13. THE NORTH AMERICAN COUNCIL ON ADOPTABLE CHILDREN (NACAC)

NACAC is a North American Coalition with goals similar to those of a state coalition except that it deals with national problems as well.

NACAC programs include:

- Adoptalk, a quarterly journal of news about adoption.
- North American Adoption Week, an annual recognition event to focus attention on the needs of waiting children.
- Sponsorship of the North American Conference on Adoptable Children.
- Development assistance, consisting of consulting with groups and individuals on specific advocacy programs.
- Small grants to local groups for innovative programming.
- Special publications, in-depth resource documents on a specific topic.
- Linkage and joint action with other organizations.
- Assistance information of new local groups.
- Expert legislative testimony.
- Assistance to policy makers in child welfare planning.

For further information, contact the President, Linda Dunn at 250 East Blaine Street, Riverside, California 92507, telephone: 714-682-5364.

GUEST EDITORIAL

by Linda Dunn, President

North American Council on Adoptable Children

Children are now being placed in adoptive homes who only recently were labeled "unadoptable." The traditional concept of a "good adoptive applicant" is undergoing change: foster parents, single persons and people with disabilities are recognized as viable potential adoptive parents. . . . We look to advances in the areas of adoption subsidy and foster care tracking systems. Clearly, we are witnessing a growing responsiveness to the needs and rights of all children. Given these advances, large numbers of children are still denied the most basic right: to grow up in a permanent and loving family.

It has long been our goal to make this most basic human right a reality. It is now possible to do so.

For the first time in the history of adoption, both professionals and concerned citizens have the opportunity to focus and coordinate their efforts across North America. The North American Center on Adoption and the North American Council on Adoptable Children provide this opportunity. Both the Center and the Council are newly formed. Both evolved as a result of the changes in adoption, and both are needed if we are to meet the challenge of the waiting children.

The North American Council on Adoptable Children is the culmination of nearly 20 years of citizen advocacy in the field of adoption. The people whose volunteered time has given life to this movement come from a wide variety of backgrounds and perspectives. Most are people who have adopted one or more children. Many have seen the negative effects that long-term foster care had on their children. Many have adopted children who are either mentally retarded, physically disabled, older, of minority race, or members of a sibling group. Many had to change agency attitudes and policies before the adoption of such "special needs" children was accomplished. All are motivated by the conviction, based on firsthand experience, that there is a home for every waiting child, and that they have a valuable role to play in removing the barriers that keep children waiting. These child advocates are uniquely qualified to interpret to their communities the beauty of meeting a child's needs through adoption, thus enabling the communities to effectively recruit homes for the children still waiting. They are uniquely able to provide pre- and post-adoptive counseling and support. They are in a unique position to speak on behalf of the children to courts, to legislatures, and to other policy-making bodies—and they can make themselves heard.

Linda Dunn

These advocates are the citizens who have effectively petitioned for adoption subsidies. Some have been appointed by judges in local family courts to review the cases of children in foster care and to identify those who should be freed for adoption. Others have initiated the widespread use of adoption listing services. They have supported the provision of comprehensive emergency services to families in crisis situations so that a child need not enter foster care. When reuniting a child with his/her biological family is not feasible, they have urged that action be taken quickly to provide permanency for the child.

The formation of the North American Council on Adoptable Children began in April 1972, at the Third North American Conference on Adoptable Children. The conferees mandated the establishment of coalitions of citizen adoption groups. Their overall objective was to work toward a continent-wide organization of citizen adoption groups. At the Fourth North American Conference in 1974, a resolution endorsing this organization and outlining its purposes and functions was unanimously passed. Elections to the 27-member board of directors (which presently includes child welfare professionals, juvenile court judges, educators and lawyers among its child advocates) was held shortly thereafter.

The Council is committed to expanding the advocate community in terms of numbers, scope and effectiveness. Our program includes continued sponsorship of the citizen-hosted North American Conferences on Adoptable Children, the editing and circulation of "Adoptalk" (the official quarterly newsletter for the Council), and the publishing of booklets, pamphlets and other materials on adoption. Direct assistance to local advocacy programs is provided by the Council in the form of seed money grants; consultation, information and referral services; and joint intervention in situations where the strength of the local group appears inadequate to influence needed changes. Finally, the Council will continue to assist in the formation of new adoption groups and coalitions, and to involve in cooperative programs others who already are active in the broader areas of child welfare.

In its first year, the Council has accomplished much. Board members from all over the United States and Canada have met twice to formulate and implement our objectives. The second issue of "Adoptalk" will soon be distributed. Linkages have been formed with the North American Center on Adoption, the National Council of Organizations for Children and Youth, and the National Foster Parents Association. Testimony has been presented at the hearings of the United States Subcommittee on Children and Youth on the Opportunity for Adoption Act, and a proposal outlining in detail the program that the Council will carry out over the next three years has been approved for funding.

We are on our way. We urge the support and participation of all individuals—professionals and lay persons. We look to a future where children will live with permanency and love.

[To subscribe to the NACAC newsletter, write: ~~Adoptalk, 8 Madison Avenue, Ossining, New York 10562.~~ Editor]

NACAC
250 East Blaine Ave.
Riverside, Calif. 92507

adoption report

This publication is issued quarterly by the NORTH AMERICAN CENTER ON ADOPTION, a division of the Child Welfare League of America, 67 Irving Place, New York, N.Y. 10003.

Elizabeth S. Cole, Director
Claire Berman, Editor

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PART II. GENERAL INFORMATION

1. DEFINITIONS

In this section of the manual we have attempted to define terms used frequently without explanation.

administrative rules - The rules and regulations set by the governing body of a system. For children, the rules set by the Department of Social Services and the Board of Social Welfare who by statute have the responsibility for setting such rules and regulations.

adoption - the legal assumption of a relationship between a child and the adopting adult(s) which grants the child all rights granted to a person born into a family.

case law - laws which come about because of a court's interpretation of a law.

casework - the application of social work skills to a specific case.

diligent effort - a prescribed set of efforts designed to locate and counsel bio-parents, re: their responsibility for planning for the child's welfare. Before a child can be legally freed for adoption, the court requires that a diligent effort be made by the agency to reconstruct the original family unless the child has been surrendered or abandoned.

finalization - a court order making the adoption legal.

foster care - care provided for a child outside his home under the auspices of a child care agency. Children who are housed in institutions are designated foster care children with the exception of those in mental hospitals or institutions for specific impairments such as mental retardation.

freeing a child - those activities accomplished to document a diligent effort to restore the family, lack of success in such effort, and the necessity to allow the child to be freed for adoption.

group meeting/counseling - a practice of having several persons meet together to discuss those aspects of adoption which are common to all. Agencies more frequently hold such meetings for general discussions of adoption, for values clarification, for discussion of common problems. The purpose is to save time, to provide exposure to others with common interests, to provide the parent(s) with an opportunity to screen out rather than be rejected by the agency.

institution - a housing arrangement for children which exceeds the limits of a group home (13). Institutions for children may have foster care programs, i.e. they may recruit foster homes and place children in them. They may also establish group homes or provide special services for children (crash pad programs, secure and non-secure shelters, etc.).

involuntary surrender - indicates that the child was removed from the parent by order of the court.

home study - those activities performed prior to placement of a child, by an agency, with the intent of determining whether the home is suitable and the persons involved capable of providing a home for the child.

parent - (noun) a mother or a father. (See section on "Parenting and Permanency")
(verb) to act like a mother or a father; to provide nurture, guidance, support and love as a mother or father would.

permanent foster placement - an arrangement that assumes a child will stay in the same foster home until majority (age 18).

post placement supervision - the time between which the child is placed in an adoptive home and the adoption is finalized. By law, three post placement visits are required over a six month period. If there are problems to be resolved there may be more visits to determine when finalization is feasible.

pre-adoptive placement - the social work practice of placing a child not yet freed for adoption in a home where he will be adopted, if and when he is legally freed for adoption.

pre-placement counseling - counseling for the child to prepare him for adoption; counseling for the adopting parent(s) to prepare them for the adjustments of adoption.

preventive services - those services provided with the intent of preventing the child from coming into care, such as day care, counseling, homemaker services, budget management, medical, educational, psychological services needed, etc.

psychological parent - the person(s) the child thinks of as parent(s). A concept expanded in "Beyond the Best Interests of the Child" (see bibliography and the section on "Parenting and Permanency").

statute - a law as written and passed in the legislature. Statutes represent the theory of what would constitute a good law until tested in a court.

surrender - a legal document in which the bio-parent relinquishes parental rights and releases the child for adoption. Also referred to as the surrender instrument.

voluntary surrender - indicates that the child was removed from the parent voluntarily on the part of the parent.

See the Manual section on "The Rules of Child Welfare," especially Section 371 of the Social Services Law for legal definitions.

FREQUENTLY USED INITIALS AND ACRONYMS

AASK - Aid in the Adoption of Special Kids (see Miscellaneous Organizations)
ABSW - Association of Black Social Workers - 106 W. 146th St., N.Y., N.Y. 10039; (212) 368-3270
ACLU - American Civil Liberties Union - 22 E. 40th St., N.Y., N.Y.
ACT - Adopt a Child Today - Ohio adoption group - ACT of Ohio - P.O. Box 20010, Cleveland, Ohio 44120
ADC - Aid to Dependent Children, a money source under the Social Security Act
ADC-FC- Aid to Dependent Children - refers to funding of foster care
AFDC - Aid to Families of Dependent Children - federal wording for ADC
AFDC-Non-Win - Aid to Families of Dependent Children-Non-Work Incentive (Father is not in the home. Mother is not required to work off the grant.)
AFDC-U - Aid to Families of Dependent Children, where the families' unemployment benefits have been exhausted
AFW - Adoptive Families of Westchester, a NY State adoptive parent group, member of CCC - P.O. Box 127, Dobbs Ferry, N.Y. 10522
APC - Adoptive Parents Committee - member group of CCC, 210 Fifth Ave., N.Y., N.Y. 10003; Long Island Chapter, member of CCC, 69-28 266th St., Floral Park, N.Y. 11004 (212) 343-4981
CAP - Council of Adoptive Parents - adoptive parent group; originators of the CAP Book - CAP-Rochester (35 Bittersweet Rd., Rochester, N.Y. 14450) and Alleghany CAP (30 Madison St., Wellsville, N.Y. 14895) are both members of CCC
CARE - Capitol Adoption Resource Exchange (Wash., D.C. Adoption Exchange)
CCC - Citizens' Coalition for Children, Inc.; authors of this manual; coordinating office for the work of the CCC - 112 State St., Room 1120-A, Albany, N.Y. 12207
COAC - Council on Adoptable Children, a nationwide network of adoptive parent groups; COAC in New York City is a member group of CCC - 125 E. 22nd St., N.Y., N.Y. 10010
CWIS - Child Welfare Information Service, an internal system for collecting data and monitoring the child care system (see miscellaneous organizations)
CWLA - Child Welfare League of America, 67 Irving Place, N.Y., N.Y. 10003 (see Miscellaneous Organizations)
DARE - Delaware Adoption Resource Exchange (see State Adoption Exchanges)
DFY - Division for Youth, a state program coordinating youth services to minimize delinquency, 84 Holland Ave., Albany, N.Y. 12209
DMH - Department of Mental Hygiene, a state program controlling mental health services, 44 Holland Ave., Albany, N.Y. 12209
DSS - Department of Social Services. Each county has a DSS. NYS DSS is the governing body for public social service agencies. NYS DSS, Ten Eyck Office Building, 40 North Pearl St., Albany, N.Y. 12243
FACT - Families for All Children Today, an adoptive parent group in Binghamton, member of CCC, P.O. Box 2181, Harpursville, N Y. 13787
FFF - Families for the Future, Albany area adoptive parent group, P.O. Box 725, Schenectady, N.Y. 12301
FFP - Federal Financial Participation , the availability of federal funds for a program

FPA - NYS Foster Parents Association, 1574 Lakeland Ave., Bohemia, NY 11716; in the Albany area, Foster Parents for Action, 162 Sandcreek Rd., Albany, N.Y. 12211

FY - Fiscal year

HEW or DHEW - Department of Health, Education and Welfare, administers national social service programs

IM - International Moms - an adoptive parent group interested in international adoption; or Income Maintenance - one division of the local social service operation; the other division is Services

JD - Juvenile Delinquent - a person between 7-16 who has committed an act which would be a crime if committed by an adult

LAPA - Latin America Parents Association, an adoptive parents group interested in Central and South American adoption, P.O. Box 72, Seaford, N.Y. 11787

MARE - Massachusetts Adoption Resource Exchange (see State Adoption Exchanges)

MMIS - Medicare Management Information System, a state system for managing Medicare funds

NABSW - National Association of Black Social Workers, 2008 Madison Ave., N.Y., N.Y. 10035, (212) 348-0035

NACA - North American Center on Adoption, a program of the CWLA (see miscellaneous organizations)

NACAC - North American Council on Adoptable Children, the North American network of adoptive and foster care groups

NASW - National Association of Social Workers, the accrediting body for social workers (for information: 67 Irving Place, N.Y., N.Y. 10003)

NYSAS - New York State Adoption Service - publishes the photo listing book called New York State's Waiting Children and replaces the NYS Adoption Exchange (NYSAE) - NYSDSS, 2 World Trade Center, Room 2850, New York, New York 10047; (800) 342-3710 or (212) 488-5290.

NYSBSW - New York State Board of Social Welfare, one of the governing bodies of the social services system, Empire State Plaza, Office Tower, Albany, N.Y.

NYSCOVCCA - NYS Council of Voluntary Child Care Agencies, 104 E. 35th St., N.Y., N.Y. 10016, (212) 683-6000; or 176 Washington Ave., Albany, N.Y. 12210, (518) 463-2348 (see Miscellaneous Organizations)

ODS - Open Door Society, a national network of adoptive parent groups - ODS-Long Island is a member group of CCC, P.O. Box 536, Ronkonkoma, N.Y. 11779

OFFER - Organization of Foster Families for Equality and Reform, a foster family citizen action group, member of CCC, P.O. Box 110, East Meadow, N.Y. 11554

PACO - Parents of Adopted Children Organization (see Miscellaneous Organizations)

PACT - Parents and Children Together, adoptive parents group in Kingston, member of CCC, 28 Tietjen Ave., Kingston, N.Y. 12401

PINS - Person in Need of Supervision, a designation of the court for a child who needs guidance and supervision

PLAN - Plan Loving Adoptions Now (see Miscellaneous Organizations)

RAP - The Regional Adoption Project, sponsored by NYS DSS through WRI, a demonstration project of cooperative adoption techniques carried out by the Parsons Child and Family Center, 60 Academy Rd., Albany, N.Y. 12208

WMS - Welfare Management System

WRI - Welfare Research Incorporated (see Miscellaneous Organizations)

2. PHILOSOPHY AND POSITIONS

VIEWPOINT: ADVOCACY FOR CHILDREN

Children need advocates because:

- They have traditionally been considered property with no recognized voice of their own, and few recognized rights.
- They cannot argue for themselves.
- The persons controlling their lives are not necessarily representing their interests or working for them.

The most logical persons to advocate for children in care are child care line workers and administrative staffs, foster parents or law guardians. However, these persons run considerable personal risk in advocating for change in the system that supports them. The most effective advocate is one with commitment to the cause (i.e., children), knowledge of problems, and nothing personal to lose.

Adoptive parents have an opportunity to be advocates and meet the criteria of advocacy once their adoptions are finalized. They know the difficulties their own child has encountered. They know the difficulties they have met in trying to adopt, and they have an indication of the numbers of children affected negatively by the child care system.

Some factors that hamper successful advocacy are lack of definition of the child care problem, acceptance of the status quo, lack of visibility of the children involved, inaccurate focus and exposure of the plight of homeless children, and insufficient commitment to children to justify action on their behalf.

VIEWPOINT: PARENTING AND PERMANENCY

The concept of psychological parenting is introduced and developed in the book, Beyond the Best Interests of the Child. The authors, Joseph Goldstein, Anna Freud, and Albert Solnit, talk of the psychological parent, the child's sense of time, and the impact of separation and loss. The psychological parent is not necessarily the biological parent (who gave birth to the child), rather the one(s) whom the child looks to for guidance, love, support, encouragement, acceptance, and the satisfaction of daily needs - the one(s) he can depend on.

When there is disruption in the child's life entailing separation from, or loss of, a parent figure, he will attempt to find for himself other psychological parents. He can do this in a relatively short time because his sense of time differs from adults; his perception of abandonment can be overwhelming. Once he has chosen other psychological parents, the trauma of separation from them, loss of his stability, and a search for new psychological parents, repeats itself in returning him, or moving him on to persons who are strangers. The criteria in the child's mind is the satisfaction of his own needs, the feeling of security and worth created by the adults around him. Neither his relationships nor his sense of time are controlled by the fact of biological production. Agencies have failed to consider the child's sense of time as they move slowly in making plans and actuating them for the child. In a mobile society such as ours, and in considering children in care, the concept of permanency does not necessarily refer to the fact of staying in one place. It is a concept more concerned with the child's sense of belonging somewhere to someone who cares about his well being and the maintenance of his equilibrium as a functioning person, despite surface conditions and environmental changes.

In advocating for fostering and/or adopting, you need to understand these concepts. A biological parent gives birth to a child. A psychological parent nurtures that child. The biological parent may be the psychological parent, but this does not always happen and in the case of children in care, in a short time the psychological parent is someone other than the biological parent more often than not. Permanency is something we can plan for but not assure. It is an internal feeling which a child must come to, or do without, in relation to the environmental features which strengthen, or weaken his sense of belonging.

The kind of permanency to which child advocates refer is most probable in (1) re-establishing the biological family as a functioning unit which includes the child or (2) moving the child into adoptive placement. It is not probable while the child remains in foster care - simply because the child knows his belonging is not established legally; even the most dedicated foster parent cannot control the movement of a child and the undedicated foster parent finds it all too easy to relinquish the child; and the system controls of child care frequently interfere with foster parents' acting as parents (re: moving/family illness).

VIEWPOINT: NEEDED IMPROVEMENTS IN FOSTER/ADOPTION SERVICES

Children readily available for adoption in New York State are school-age, minority race, handicapped, and/or members of sibling groups. New York State Adoption Service, Spaulding, and citizen group efforts have adequately demonstrated that adoptive families for these children can be found. Recruitment is not the problem. Improved ways of getting children and families together must be developed.

The goal is permanent homes for waiting children, either with biological or adoptive parents, with a minimal amount of traumatic separation for the child. Some of the problem areas that need positive change follow.

- Prevention and rehabilitation services include counseling, homemaker, and other services and supplies that would keep together a family in crises and prevent foster placement of the child. When families have already separated, services should be provided to reunite them. It is more costly in dollars and in human trauma to place a child in foster care than to preserve a family.

- In spite of recent improvements in termination laws, it is still difficult to win terminations. There is little money available for legal services to prove abandonment or neglect. Judges are often reluctant to terminate biological parents' rights because of a long standing respect for blood ties and a view of children as the chattel of biological parents. Caseworkers are often unable or unwilling to make the necessary decisions and to take the initiative to free children for adoption. Consequently, the children "drift" in foster care with no hard goals set for them and no advocacy to reach goals.

  At a certain point the burden of proof of why a child should or should not be freed for adoption ought to shift from the agency to the parent. Such a change in termination law is needed.

- Adoption services should be improved for families wishing to adopt available children. They should be more timely, encouraging, skilled, and efficient. Parents need to be given training in the adoption of special needs children.

- Specifically, we need to make the granting of appropriate children's services in the best self-interest of the service grantors. That is, the finance and organizational rewards of the child care system must favor permanent homes for children rather than drifting foster care.

- In addition to rewarding good practice, we must monitor and correct poor practice. A grievance recourse is needed for persons who wish to adopt available children and who are unable to get agency service. We also must bring people with initiative into the monitoring system, preferably individuals such as volunteers, whose personal goal of self-advancement in a bureaucracy does not interfere with "rocking boats" when necessary to make the system work for children.

PRIVATE PLACEMENT

The term "private placement" refers to the fact that an adoption was finalized in the State of New York, but that it was not handled by an authorized New York State agency. Most private placement adoptions are indeed legal and are supervised after the fact of petition to finalize the adoption. The Adoptive Parents Committee estimates that one-third to one-half the non-relative adoptions in New York are private placement adoptions. The most recent figures from the Judicial Conference indicate that 2956 agency adoptions were finalized in 1973, 4211 relative adoptions were finalized privately and 937 non-relative adoptions were finalized privately. These figures support the Adoptive Parents Committee's estimate. Many of these are adoptions of a child by a relative and many are adoptions of foreign children. Some are adoptions arranged by lawyers. Persons who turn to private adoption generally do so because they want infants, because they cannot obtain a homestudy through an agency, or because they know how and where to arrange to adopt without involving an agency. The court is petitioned directly by the adopting parent, and frequently orders a homestudy at that point.

When you pursue a private adoption of an infant through a lawyer, there are some pitfalls to be aware of:

- The adopting parent generally pays more than he would through an agency. Costs are incurred for care of the mother during pregnancy, for delivery of the baby, and for the legal fees of your lawyer and the lawyer representing the biological mother. A private placement adoption may cost from $10,000 to $25,000, as opposed to private agency adoptions which seldom exceed $2,000 and generally cost the adopting family $1,000 or less. Adoptions handled through public agencies cost little more than the costs of a lawyer for finalization ($350 to $500).

- Even though a lawyer conducts a private placement adoption, there is minimal assurance of protection for any of the parties involved - the adopting parents, the biological parent, or the child.

- Persons pursuing private adoption either have to locate a child for themselves or have to know how to locate the lawyers who will do it for them.

- Private placement adoptions are legal in all states except Connecticut and Delaware. There is no evidence that private placement adoptions are any more or less successful than agency placements.

- In the case of foreign child adoption, such children can be adopted through private lawyers, but most of the adoptions are arranged through reputable agencies such as Holt International Children's Services, David Livingstone, Friends of Children of Vietnam and similar groups. These agencies are recognized for the work they do. They are not recognized as "authorized New York State adoption agencies", which causes them to be considered private placements.

The assurances that go with an agency adoption are:

- The child is legally freed for adoption.

- The agency can assist in solving problems which arise in relation to the adoption.

- The child can be returned to the agency if the adoption does not work out. These assurances do not exist in private placement adoptions.

Coalition's position on private placement.

Coalition has opposed recent attempts to bar private placement because it feels that limiting fee gouging and protecting the child can be achieved without banning the whole process. Private placement offers an alternative for biological parents, adoptive applicants, and children when agency services do not meet their needs.

PRE-ADOPTIVE PLACEMENT

Some agencies engage in a process of pre-adoptive placement of children whom they expect to be freed for adoption. Pre-adoptive placement is a process by which a child is placed in a family wishing to adopt him while he is still a designated foster child. The pre-adoptive family receives foster care money until the child is legally freed. At this point, he either moves into subsidized adoption, or foster care money can be applied until the finalization, or the family ceases to receive money.

Pre-adoptive placement has several advantages:

- It minimizes disruption for the child and allows him to start stabilizing into his new family.
- It cuts down casework and paperwork.
- It puts the potential adoptive family in a position to work as the child's advocate because they have a strong, personal interest in seeing him freed.

There are also disadvantages:

- The strain on the pre-adoptive family is great. They know each step in the procedure to free the child and therefore know each point at which they might lose the child. They must establish a balance between pushing the agency to move ahead and being patient.
- Because the child is "permanently" placed, the agency might be inclined to drag its heels in freeing the child.
- The pre-adoptive family might hesitate in asking for help they and the child need.
- Whereas the adoptive family lives with the tensions involved in the six-month post-placement supervision period, the pre-adoptive family experiences that tension from the time the child is placed until the freeing time, which can take years.

Coalition has favored pre-adoptive placement as a service to children, recognizing that the rights and needs of adoptive parents in the process have not been adequately addressed.

3. BASIC STATISTICS AND INFORMATION

Government statistics reveal there are 350,000 children in the nation in foster care, that approximately 50,000 are in care in New York State at a cost of $270,000,000, and that 28,000 to 30,000 (60%) of the New York State children are in care in New York City. Beyond these basic figures, there are varying degrees of conflict in figures cited. Because it is important to consider the source of the statistics cited, they will be grouped accordingly. Contact each source and request their reports as they are issued.

- According to the North American Center on Adoption (67 Irving Place, New York, New York 10003) from a fact sheet "The Waiting Child," 1976:

    - A foster child is likely to stay in care four to six years, and to change foster homes two or three times.

    - Fifty-five per cent of the children freed for adoption are still in foster care after five years.

    - In the United States foster care now represents the largest single item of child welfare expenditure on a county level.

    - Foster care costs range from $3,000 to $5,000 a year, and annual institutional costs begin at $8,000 and soar over $50,000.

    - Approximately one-third of the children in care in North America (120,000) will probably never return to their biological relatives and are, or could be, freed for adoption.

    - The cost of placing a child is about half that of one year in foster care.

- According to the Child Welfare League of America (67 Irving Place, New York, New York 10003) 1976 brochure:

    - Nearly half of the 350,000 children in foster care were removed from their homes because of abuse, neglect, or exploitation.

    - The national incidence of parental maltreatment of children is an estimated 60,000 cases - resulting in 6,000 deaths.

    - Children in foster family care number 266,000. The cost per child is over $60,000 during childhood. One third could be placed in permanent adoptive homes if there were enough child welfare workers to find homes and help free children legally.

    - One-half of all children in need of child welfare services do not receive them.

According to COVCCA (address: 104 East 35th Street, New York, New York 10016) in New York State in 1976:

- Outside New York City, 13,800 children are in foster family care; and 2,700, in group homes.

- There are 12 voluntary child care agencies in the Capital District and upstate New York.

- 350 children from the Capital District are in group care.

According to Blanche Bernstein(1975 study of New York City system) (see bibliography):

- In New York City, more than 80 voluntary agencies care for about 85% of the children in care.

- Special Services for Children purchases care and maintains responsibility for children placed with the voluntary agencies and provides directly for 15% of the children in care. The State Board of Social Welfare estimates it will take a minimum of three years to correct the severe deficiencies in adoptive planning. More than twice as many children should be placed for adoption as are now in the adoption process. Note: SSC is the New York City public agency.

- As of September 1975, more than 2,500 children were in group homes and residences.

- Residential treatment resources are currently required for more than 2,600 children for whom such care is not available. By 1980, the deficit for residential treatment will be in excess of 3,200 places.

- 28,600 children in foster care is 1.35% of all children under 18.

- 45% of the children in care are in long time foster care. Of these, 15% in foster homes with prospect of adoption; 13% in general institutions; seven per cent in group homes or residences; four per cent in residential treatment facilities.

- Problems of the parents, not the children, cause 80% of the placements.

- 55.3% of the children in care were not in the preferred placement at the time of the study. Example: Some were in foster care but should have been adopted.
- 2,094 (seven point three per cent) should be in their own homes.

- 3,669 (12.6%)should have been placed for adoption. This is in addition to 3,951 children (13.8%) who should be and are in foster homes with the prospect of adoption. If all the children were appropriately placed, about 3,700 fewer children would be in long term foster care.

- New York City has 29% of its children in institutions. 10% of the upstate children are in institutions.

- From 1971 to 1973, there was a 55% decrease in discharges from care to adoption; and a 60% decrease of children in care under two years of age.

- In 1974, 2,300 children were placed for adoption. Of these, 1,049 were placed by public agencies; 1,251 were placed by private agencies.

- 501 subsidized adoptions were approved in 1973.

- In 1974 and 1975, over 2,000 children were listed each year with the New York State Adoption Exchange. Of those, 20-25 or one per cent were placed.

- In 1972, over a three month period, foster parents agreed to the transfer of a child 89% of the time.

According to the Adoption Allocation report, New York City 1974-75.

- 1,030 adoptions were finalized in 1974.

- 1,096 adoptions were finalized in 1975.

Profiles of Children in the United States, 1970 White House Conference on Children, 1968 findings indicated: (This was the most recent conference of this kind.) (These are national figures.)

- 1,500,000 children received medical care through public welfare funds.

- 166,000 children were adopted. In that year, more than 100,000 of these children had been born out of wedlock.

- The number of children under 21 served by public and voluntary child welfare agencies was 859,000. Of that number, 323,000 were in foster care of child welfare institutions. Of that 323,000, 77.1% were in foster family care; 22.9%, in institutions.

- 67.2% cared for by public agencies; 32.8% by voluntary agencies.

- Of 249,000 children in foster family care, 82.3% are in public care and 17.7% in private care.

- Of 74,000 children in institutions, 16.7% were in public care; 83.3%, in private care.

According to the Child Welfare Information Service, (200 Madison Avenue, New York, N. Y. 10016) in New York City in 1975:

- 40% of the children in care have been there more than four years.

- Adoption is the discharge objective for 20.2% (5,579 children) of 27,000 children reported in New York City.

- Figures on children in adoptive placement indicate that of 481 children reported placed in adoptive homes, less than 12% are in non-foster homes.

According to the New York State Department of Social Services 1974-75 Annual Report (Ten Eyck Office Bldg., 40 N. Pearl, Albany, New York 12243) Re: 392 (Court Review):

- 7,800 cases were reviewed under Section 392 between October 1971 and June 1974.

- In 78% of the cases the recommendation was "continue in care".
- Less than two per cent were directed to be returned to biological parents.
- In 13% of the cases, the agency was ordered to begin action to legally free the child for adoption.

- Re: Section 385.A (revised in September, 1973):
  - In 1973 Aid to Dependent Children/foster care claims were approximately $3,000,000 a month.
  - Since September 1973 there has been a steady rise in claims to $11,818,368 in the month of July, 1974.
  - An average 18,000 cases a month are claimed for Aid to Dependent Children/foster care funds.

- At the end of September 1974, 49,041 children were in care:
  - 30,068 in the care of voluntary child care agencies.
  - 18,973 in the care of local districts.
  - 31,433 in foster care boarding homes.
  - 98 in free/work wage homes.
  - 2,573 in adoptive homes.
  - 8,753 in institutions.
  - 1,798 in group homes.
  - 511 in agency group boarding homes
  - 3,865 home on trial/absconded/or elsewhere.

- Additional New York State statistics:
  - 89% of the New York City children are placed in private agencies. 21% of upstate children are placed privately. (compare to national figures from Profiles of Children).

Use these facts and figures to support your arguments in your speeches and writings.

4. THE RULES OF CHILD WELFARE: LAWS, REGULATIONS, COURT DECISIONS

Note that related regulations summarized in this chapter are not statutory laws. Statutory law is enacted by the legislature. Regulations are written by administrative bodies (e.g., DSS) to mold laws into workable form. They are subject to attack in court on the basis of going beyong the scope and intent of the statutory laws on which they are based.

Index to the following chapter on the Domestic Relations Law (DRL), Family Court Act (FCA), and the Social Services Law (SSL):

Abandonment - FCA Article 6; SSL 384b
Abrogation - DRL 110
Abuse - FCA Article 10, 1052
Bequests - DRL 110, 117
Child protective proceeding - FCA Article 10, 1052; SSL Title 6
Clothing allowance - SSL - Reg. 450.15
Consent to adoption - DRL 111
Court placement - SSL 358a, SSL 384b
Day care - SSL 390
Day services - SSL Title 7
Definitions - SSL 371
Diligent efforts - FCA Article 6; SSL 384b
Earnings of foster child - SSL 398a, Reg. 606
Emergency medical treatment for a foster child - SSL - Reg. 507.5; SSL 383b
Foster board rates - SSL - Reg. 605.2
Foster money for college - SSL 398 (10)
Foster parent rights - SSL 372c, Reg. 455.4d, SSL 374
Interstate adoption - SSL 374, 374a
Juvenile Delinquent - FCA Article 7
Law guardian - FCA 249
Mandated adoption services - SSL 372b
Neglect - FCA Article 10, 1052
NYSAS - SSL 372c
Order of protection - FCA 1052
Overseas adoption - DRL 115-116
Permanent neglect - FCA Article 6, SSL 384b
PINS - FCA Article 7
Photo listing service - SSL 372c
Planning - SSL 384b
Preference to adopt - SSL 374, SSL 383
Presumption of right to a child - SSL 383
Prevent foster placment - SSL - Reg. 456.2; SSL 398(5a)
Private placement - DRL 115-116, SSL 374
Putative father - SSL 372c, 384c
Religion - DRL 112-114; SSL 372c - Reg. 455a; SSL 373
Residence requirement - DRL 112-114
Review of foster care status - SSL 392
Sanctions - SSL 385
Standards for adoption - SSL 372c - Reg. 455
Standards for foster care - SSL 398a, Reg. 606
Standards of payment - SSL 398a, Reg. 606
Subsidy - SSL 372c - Reg. 455.4d; SSL 398(5k)
Surrender - SSL 384
Ten day notice to foster parents - SSL - Reg. 450.10
Termination of parental rights - FCA Article 6
Thirty day law - SSL 384
Voluntary placement - SSL 384a

Coalition groups should have on hand the current year edition of Family Law, Yellow Book available from Matthew Bender, 235 East 45th Street, New York, New York 10017. Legislative changes and court decisions interpreting the law are made available to citizen groups by Coalition in a timely manner. Copies of Department of Social Services regulations implementing the laws are available from Documents and Publications, Department of Social Services, Ten Eyck Office Building, 40 North Pearl Street, Albany, New York 12243.

Sections of the law and related regulations and court cases of particular interest to Coalition groups follow. The notes indicate general concepts, and the law should be read directly for details. Laws starred are those that are referred to frequently and should be familiar to child advocates. Related DSS regulations for public agencies are noted. There are corresponding State Board of Social Welfare Rules for private agencies.

New York State Constitution:

Article XVII gives the Board of Social Welfare the power to visit and inspect all agencies and institutions having custody of children.

DOMESTIC RELATIONS LAW

Section 110 — Who may adopt; effect of adoption
This covers bequests and disallows abrogation of adoption (annulment).

Section 111 — Whose consent to adoption of a child is required. (see also Section 384.C of the Social Services Law) Consent may not be required of anyone but the child if the child is over 18 years of age. For children over 14 years of age, consent of the child is required. For children under 18, consent is required of any surviving parents if the child was born in wedlock; of the mother of a child born out of wedlock; of any person or agency having lawful custody of the child. Exceptions: consent is not required of anyone who though able to do so, fails to visit and communicate with the child or the person having custody for six months (absent evidence to the contrary, ability to visit is presumed) or, of anyone whose visits or communications have been insubstantial or infrequent. Neither is consent required of a person who has surrendered the child for adoption, for whose child a guardian has been appointed under Section 384b, Social Services Law, who is currently deprived of his civil rights, or cannot care for the child due to mental illness or mental retardation.

Comment: This section applies primarily to private adoptions when there is no termination of parental rights prior to the adoption proceeding, and the adoption itself terminates parental rights. Agency adoptions, on the other hand, are generally preceded by a formal surrender by the bio-parent or the termination of his rights in court.

Sections 112, 113, 114 — Adoption from an authorized agency, finalizing of adoption and confidentiality of adoption records.
A judge must, when practicable, give custody only to persons of the same religious faith as that of the adoptive child. (See also Article 6 of Social Services Law). A child must have resided with a person for six months before that person can adopt the child and a foster care period can count as part of the six months.

* Court Case: Wilder v. Sugarman has upheld the principle of placing children with families of the same religious faith as the child's or as the mother of a young child.

Sections 115, 115a and b, 116 — Private placement adoption.
Discusses consents required, overseas adoption, i.e. documents needed to prove the child is legally free for adoption, preadoption investigation and certificate, revocation, rules, and procedures.

Section 117 — Effect of adoption,
Adoption creates a legal parent/child relationship like a biological relationship regarding inheritance. There is no abrogation of adoption.

FAMILY COURT ACT

Section 249 — Appointment of law guardian.
The child may have a law guardian in any Family Court proceeding and must have one under Articles 7 (Concerning JD's and PINS) or 10 (Child protective proceedings).

* Article 6 Permanent termination of parental rights, adoption, guardianship, and custody.

Permanent neglect: The guardianship and custody of a child can be removed from the parent and committed to an agency if, despite an agency's efforts to reunite the family for one year, the parent has failed substantially and continuously or repeatedly to maintain contact with or plan for the future of the child although able to do so. (see also Section 384b, Social Services Law)

Comment: For further information on termination of parental rights, see "Three Methods of Freeing the Foster Child" by Joseph R. Carrieri in the New York Supplement advance sheet October 26 and November 9, 1976.

A child may be freed for adoption on the grounds of abandonment for at least six months. Citation

must be served on the parent 10 days prior to the court termination proceeding. If the parent's whereabouts are unknown, the agency must make diligent efforts to locate him, i.e. check telephone books, all last known addresses, post office, relatives, Board of Elections, Motor Vehicles, etc.

Court case: In re Jennifer "S" clarifies the definition of abandonment. Even though Jennifer's mother said she wanted her daughter back, she never made any effort to contact Jennifer or to fulfill the conditions that she set for return of the child. Action speaks louder than words. The parent's rights were terminated. The failure of the agency to make diligent efforts to reunite the family could not excuse the abandonment by the bio-parent.

* Anonymous St. Christopher's Home et al, clarifies that an agency need not make diligent efforts to strengthen the parental relationship in cases of abandonment, although it must in cases of permanent neglect.

In re Adoption of "Infant" and in the matter of Stephen B., commuting distance was not found to be a good reason to excuse the parent for lack of visitation.

In re Vanesa F. defines abandonment in terms of conduct rather than intentions of the parent.

A child can also be freed on the grounds of permanent neglect. Only an authorized agency or a foster parent under Section 1055 of the Family Court Act and under Section 392 of the Social Services Law may originate a permanent neglect proceeding. Permanent neglect is based upon failure to contact or to plan for the child.

Court case: Orlando F. established that the requirement of planning for the child is separate, and must occur or permanent neglect is found. Planning means failure to act to insure an adequate home. While the parent may not be responsible for such failure, the best interests of the child dictate termination of custody. This case also established that a law guardian should be appointed in all permanent neglect proceedings.

An agency need not make diligent efforts to reunite the family if such efforts are or will likely be harmful to the child, i.e. the parent is abusive or the child returns from a home visit with nightmares.

In re Ray affirmed that an agency need not encourage and strengthen parental relationships if the best interests of the child would not be served.

The state may deprive a parent of the custody of his child on grounds of surrender, abandonment, permanent neglect, unfitness of the parent (above). Termination may also occur in extraordinary circumstances, namely in cases of prolonged separation of parent and child for most of the child's life as in the court case Joanne Bennett vs. Marie Jeffreys.

FCA

Article 7 Juvenile Delinquency (JD) and Persons in Need of Supervision (PINS).

A youth who committed a designated class A felony act (murder first or second degree, kidnapping first degree, or arson first degree) shall be placed with the Division for Youth for five years, the first year in a secure facility and the second year in a residential facility. (Juvenile Justice Reform Act of 1976).

Definitions: Juvenile Delinquent - a person between the ages of seven and 16 who has committed an act, which would be called a crime if an adult had done it. Person in Need of Supervision is a male under 16 or a female under 18 who does not attend school or whom the parent cannot control.

Comment: Recent court cases have decided that boys and girls must be treated equally under the law. Therefore, PINS are boys and girls under age 16.

* Article 10: Child Protective Proceedings(See Title 6 Social Services Law).

This act established procedures for protecting abused and neglected children. Note that(Section 1012) an "abused" child is under 16 years of age and whose parent inflicts or allows to be inflicted physical or emotional injury or a sex offense or creates a serious risk of such injury. A "neglected" child is less than 18 years of age and whose parent or custodian endangers the child by failing to exercise a minimum degree of care (physical necessities, medical care, supervision, removal of drugs and alcohol), or who has abandoned the child.

A peace officer or agent of an authorized agency may remove an abused or neglected child from his home.

Proof of abuse or neglect is the child's injury, hospital or agency written or photo record, or the established fact of repeated use of drugs or alcohol by the parent.

FCA
Section 1052

Placement under the Child Protective Act.
An abused or neglected child may, at the conclusion of a dispositional hearing, be:

- released to his parents or legal guardian.

- placed (Section 1055) with a relative, or person, or an agency for 18 months. Extended placements of one year each may be held upon the motion of the court, agency, or foster parents. Notice of a hearing shall be given to all parties, including the foster parents, and all parties are entitled to participate in the hearing. At a placement or extension hearing, the court may order the agency to strengthen the parental relationship when such an order will not be detrimental to the child, or insritute a proceeding to legally free the child for adoption if the court finds reasonable cause to believe that grounds for termination of parental rights exist. If the agency fails to institute such a proceeding within 90 days, the foster parent may do so unless the agency has received a time extension or unless the court foresees that the foster parent would not obtain approval to adopt the child later.

- granted an order of protection, i.e. certain orders to the parent such as to stay away from the child.

- placed under supervision, such as with the bio-parent, by an agency for up to 18 months with one year extensions decided upon at hearings.

Section 1059

If under this article the court finds that the child has been abandoned by his parents, the court shall direct the local commissioner to institute a proceeding to legally free the child for adoption.

Comment: It has been the state's intention that abused and neglected children remain with their families when safe, and that families receive rehabilitative services.

SOCIAL SERVICES LAW

Sections 20 and 34 (Provisions relating to Department of Social Services supervision of local departments).

Related DSS Regulation 450.10

Whenever an agency official removes a foster child from a foster home, he shall notify the foster parents in writing 10 days in advance except when the child's health or safety is in danger. Notification shall advise the foster family that they may request a conference with the social services official with or without representative to review the case. Foster parents may waive their right to the 10 day notice after the notification is given.

If the foster family requests a conference, it shall be granted within 10 days of receipt of the request with five days written notice of the conference to the foster family.

A decision shall be rendered in writing within five days after the conference. Such decision shall advise the foster family of their right to appeal to the State Department of Social Services and request a fair hearing.

If there is a conference, the child shall not be removed from the foster family until at least three days after the decision notice is sent or prior to the proposed effective removaldate, whichever occurs later.

In any foster care agreement between the agency and foster parents, the rights in this section shall be stated.

Comment: In reality, there are ways of removing a child from a foster home without notice or conference. The bio-parent can issue a writ of Habeus Corpus to show cause why his child should not be returned, which supercedes this regulation. In fact, a regulation is not binding in court, as a law would be. The foster parent may also be accused of abuse or neglect, and have the child removed. Believing they have little recourse in recovering a removed child or affecting the child's future, some foster parents hide their foster children when they fear unwise or illegal removal, even though such action may bring them jail sentences. An example is the "Baby April" court case, Rochester, 1975.

DSS Regulation 450.15

Local social services districts shall authorize clothing allowances for foster children, including special ones for religious and camp activities, for special conditions, and to replace missing or destroyed clothing. (See also Regulation 606 under Section 398a of the Social Services Law).

DSS Regulation 456.2

So long as Federal funds are available, intensive family casework services may be provided to the following individuals to prevent foster placement:

- current applicants and recipients of financial assistance.
- former applicants and recipients of Aid to Dependent Children, within the past two years.
- potential applicants and recipients of Aid to Dependent Children.

(See Aid to Dependent Children under "Finance of Child Welfare" in this Manual).

DSS Regulation 507.5

Agencies must have a designated staff member available at any hour to give consent for emergency medical treatment for a foster child in case the bio-parent cannot be reached for his consent.

Comment: Foster parents do not have the right to make major decisions about the lives of their foster children, i.e. decisions about medical treatment and education.

DSS Regulation 605.2

Foster care board costs to the foster family are discontinued during the foster child's absence except weekend visits, school and religious holidays, school trips, up to 15 days of hospitalization, and up to seven consecutive days of vacation, running away, legal detention, home on trial or visits to potential foster or adoptive parents.

SSL
Section 349

Adoptive parents may receive aid to dependent children (Aid to Dependent Children, welfare).

* Section 358 (a)

Dependent children in foster care.
If a local commissioner determines that a child qualifies to receive Federal Aid to Dependent Children, and if that child is likely to remain in foster care longer than 30 days, then the commissioner shall petition the family court for approval of the transfer of custody of the child to the agency. (See Section 384). If the commissioner does not get court approval of foster placement in 30 days, state reimbursement

may be withheld. There may be a hearing or it may be waived. This law was passed because such a hearing is required in order to get Federal foster care funds.

The child must be returned to the parent according to any conditions recorded at placement or the parent may seek return of the child through a writ of Habeus Corpus.

SSL
Section 371

Definitions:

- Child: person under age 18.
- Abandoned Child: child abandoned by the persons responsible for his custody (See Section 384 (b)).
- Destitute Child: child who is not neglected but who is wanting, homeless or suffering.
- Neglected Child: see Article 10 Family Court Act.
- Abused Child: see Article 10 Family Court Act.
- Juvenile Delinquent: see Article 7 Family Court Act.
- Person in Need of Supervision: see Article 7 Family Court Act.
- Dependent Child: child in the custody of or maintained by an agency.
- Defective Child: child who is insane, epileptic, or feeble-minded.
- Physically Handicapped Child: child who is totally or partly incapacitated for education or work.
- Authorized Agency: agency empowered to care for or place out children, has its plant in New York State, and is supervised by Board of Social Welfare, or any court or public welfare official authorized to board out children.
- Place Out: arrange for the free care of a child in a family, such as for adoption.

- Board Out: arrange for the care of a child with payment for maintenance.

- Agency Boarding Home: a family-type home operated by an agency.

- Group Home: facility for 7-12 children at least five years old unless a sibling is younger or a child of a Mother placed.

- Foster Child: a child boarded out.

- Detention: care of children away from home under Article 7 Family Court Act.

- Secure Detention Facility: one with restricting construction.

- Non-secure Detention Facility: one without restricting construction.

SSL

Section 372 (a) — Central registry for deserting parents and fathers of children born out of wedlock.

* Section 372 (b) — Adoption services.
This section mandates that adoption services be provided by each social services official for each child in his care who is listed with New York State Adoption Service. Services include evaluation of child and planning, recruitment of parents and homestudy, parent training, placement planning, supervision and post adoption services. DSS must set regulations to promote inter-agency cooperation and to apportion reimbursement.

* Section 372 (c) — Statewide adoption service (NYSAS).
This act established NYSAS. Children free but not placed for three months must be registered, and this period of time shall include any period of foster care preceeding the date the child was legally freed.

The photolisting books must be provided to all agencies and to interested citizen groups. Children meeting certain DSS criteria need not be photolisted. Expenditures for children who have not been duly referred to NYSAS are not subject to state reimbursement.

DSS Administrative Letter 76 - 13 lists criteria for not photolisting children:

- Children will be placed quickly because they are young and healthy or their foster parents are now considering adoption. (review in 90 days, photolisting required if no progress)

- Diagnostic study of the child is required (review in 90 days - photolisting required).

- The child needs hospital or institutional care (annual review).

- The child is 14 years old or over and will not consent to adoption (periodic review).

- Adoption is not in the child's best interest (annual update). Decision that it is not in the child's best interest is subject to review.

Related DSS Regulation 455
(same as State Board Rule 35) Standards of practice for adoption services - filed 12/20/73.

455.3 (a) Authorized agencies shall have written policies regarding bio-parents, adoptive parents, adoptive applicants, children, recruitment, approval and supervision of adoptive homes, and post adoption services. Policies are to be available to any interested party and they are to be provided to bio-parents, adoptive applicants, and foster parents.

Agencies shall make explicit the criteria by which an adoptive home is judged suitable, including policies regarding transracial and single parent placement and placement in a home of a working mother.

Evaluation of adoptive applicants shall not be arbitrary in the use of such factors as age, race, religion or lack thereof, previous divorce, income, infertility, or a non-disabling health problem.

Agencies shall have a public information program to make the community aware of children needing adoption, agency policies and services and subsidy.

455.4 (a) The signed statement of the surrendering parent's religious wishes must inform her that she may stipulate that the child be placed in a family of her religion, a different one, without regard to religion, or with religion a subordinate consideration. Also, the statement must inform her that she may stipulate that if the child has not been placed within a time period of her choice, religion may be waived.

455.4 (c)

Agencies must:

- Maintain a record of adoptive inquiries and applications showing date, name, address, and disposition.

- Inform applicants of the homestudy process.

- Advise applicants of the receipt of the application within five working days of its submission.

- Discuss at the initial meeting with applicants available children; resources of children.

- Inform applicants when the homestudy will begin.

- Advise applicants not accepted for study of reasons for refusal.

- Complete the homestudy in four months once it begins and inform the applicant in writing the reason for any delay.

- Offer a meeting if the applicant is rejected. Reasons for rejection must be stated in the record, but need not be given to the applicant.

DSS Regs. 455.4 (d)

Whenever an agency undertakes to free a child, it shall notify the foster parents caring for the child, inform them of adoption subsidy, and request a written acknowledgement of this notification. If the foster parents wish to adopt and are turned down, the agency's record shall explain why.

Preference for homestudy is given to families wanting available children.

455.4 (f)

Agencies shall make available post-placement counseling to adoptive parents and children.

SSL Section 373

Religious faith.
A child is to be matched where practicable to his religion whenever he is committed to an agency, boarded out, appointed a guardian, or adopted. The religious wishes of the biological mother are also to be matched, and if her wishes are unstated, then the child's religion is assumed to be the same as the biological mother's.

Section 374

Authority to place out or to board out children.
In any written boarding agreement between agency and foster parent, it shall be stated that after having the child for two years in care, the foster parent has preference to adopt.

Independent placement:
Children may be placed for adoption and boarded by an authorized agency, a parent, a guardian or a relative within the second degree.

Children may be placed for adoption outside of the state subject to certain restrictions.

No hospital or home for pregnant women may place for adoption or board out children.

Only an authorized agency may accept compensation for placing out a child; no other institution or person may accept a compensation. The exact medical expenses of birth of an adopted child may be compensated by anyone.

SSL
Section 374 (a)

Interstate compact on the placement of children. This act regulates movement of the children across state lines for the purpose of placement. This compact and relevant state laws must be followed and written notice must be sent to the receiving state prior to moving the child.

Section 383

Care and custody of children.
The custody of a foster child is vested in an agency, which may remove the child from a foster home.

Foster parents of the same child for two years have preference in adopting the child and a right to intervene in any custody case involving the child. In such cases, no party is presumed to have a greater right to the child than the others.

Section 383 (b)

Commissioners of social service may consent to medical treatment for abused or neglected children.

Section 384

Guardianship and custody.
A surrender to terminate parental rights (a step prior to adoption) must be signed by any living parent or legal guardian of the child except a parent who abandoned the child for six months or the father of a child born out of wedlock.

The surrender instrument (document) is signed, notarized, and filed with the county clerk. It is confidential. The surrender may be approved by a judge of the Family Court.

In any proceeding to set aside a surrender, the adoptive parents have a right to intervene.

* 30 day law:
There can be no annulment of a surrender if 30 days have passed and the child is placed in an adoptive home unless fraud, duress, or coercion were involved in the surrender.

SSL
Section 384 (a)

Transfer of care and custody voluntarily. A parent may voluntarily place his child in foster care only by signing a written instrument (agreement) with the agency. Terms of the instrument are up to the parent and agency, but they may include a date or event (i.e. parents' release from hospital) for return of the child, and they must include a statement of the right to specify when the child shall be returned and the right of the parent to supportive services and to visit the child. It must also warn the parent of his obligation to visit, plan for, and support the child, if able, in order to retain custody of the child. The agency and parent shall each have a copy of the instrument.

Comment: A child comes into the care of an agency either as a voluntary act of the bio-parent or guardian (Section 384 (a)) or by an order of the court (Section 384 (b)). Parents surrendering their child voluntarily control the return of the child, whereas the court-placed child is controlled by the agency or person charged with his care.

Section 384 (b)

Commitment as for adoption by a court order. Notice of a hearing must inform the parent that the child may be freed for adoption. The likelihood that the child will be adopted shall not be required to commit the child to an agency.

A written instrument similar to Section 384 (a) is used. The guardianship and custody of a child may be committed to an agency if the child has no parent or guardian, if the parents abandoned the child for six months, if the parents are too mentally retarded or ill to care for the child, or if the child is permanently neglected.

"Abandonment" means the parent evinces an intent to forego his parenting by failing to maintain contact with the child. It is presumed the parent can maintain contact, absent evidence to the contrary. The agency need make no effort to get the family back together.

"Permanent neglect" means the parent has failed for one year substantially and continuously or repeatedly to maintain contact with or plan for the child in spite of the agency's diligent efforts to reunite the family. Contacts must be more than insubstantial and infrequent, i.e. a yearly birthday card would not preclude a finding of permanent neglect. If it is not in the child's best interests, the agency need not try to reunite the family.

"Planning for the future" means planning for a secure and stable home together. There must be a good faith effort to achieve goals, including use of services and resources made available to the parent.

Commitment to an agency is not a termination of parental rights.

* Diligent efforts by an agency mean cooperation with the parent in planning for the child, arranging parent/child visitation, providing rehabilitative services, and informing the parent about the child's progress.

DSS Regulation 450.9

Initiating and preparing petitions for a determination of permanent neglect for children in foster care.

- Authorized agencies shall identify at semi-annual intervals each child in foster care for whom permanent neglect court action is deemed essential to long range planning in behalf of the child.

- Authorized agencies shall consider permanent neglect court action for each child whose parents during the preceding year have:

  - failed to manifest interest or concern in him, i.e. no visits requested, no correspondence, lack of cooperation with the agency in planning and arranging visits with the child when it is physically and financially possible for the parent to do so;

  - a record of breaking appointments to meet with the child at the agency, institution or in the foster home;

  - failed to keep appointments with agency staff for the purpose of helping parents with the problems that had required the child's placement;

  - failed to utilize community resources as arranged by the agency to resolve or correct the problems that had brought about the placement of the child with the agency;
  - failed to demonstrate a willingness and capacity to plan for the child's discharge, including taking necessary steps to provide an adequate stable home and parental care within a reasonable period of time.

The social services official shall consider whether efforts to strengthen the parental relationship would not be in the child's best interests as evidenced by addiction to alcohol or drugs, hostility or neglect/abuse toward the child, resistance to visits by the child, or mental illness or retardation.

If termination is in the child's best interests, the social service official shall seek a voluntary surrender for adoption, record evidence to seek court termination of parental rights, limit parental visits, present a petition in court within 30 days after the decision to terminate parental rights.

SSL
Section 384 (c)

Rights of fathers of out of wedlock children. Ten day's notice of a Section 358 (a), or a Section 384 (b) proceeding must be given to a person adjudicated by a United States court to be the father of the child, who has filed a notice of intent to claim paternity, who is the recorded father on the child's birth certificate, who is living with the mother or claims to be the father, who is sworn by the mother to be the father, or who married the mother after birth. Notice is given by certified mail to the last known address. Failure to appear at the hearing may result in commitment of the child without further notice or right to overturn the commitment.

(See Section 372 (c) for putative father registry).

Court case:
There have been several court cases dealing with the rights of fathers, most notably Stanley vs. Illinois. This was not actually an adoption proceeding; it dealt with a bio-father seeking custody of his children. The court concluded that a putative father does have a cognizable and substantial interest in retaining custody of his children.

SSL	
Section 385	Prohibiting an agency from placing children. BSW may prohibit an agency from placing children if placement has been made for gain, without due investigation of parents, in cruel, neglecting or immoral surroundings, or without protecting the child's religion.
Section 386	BSW is authorized to visit any boarding home.
Section 390	Day care.
* Section 392	Foster care status; periodic family court review. This section provides for court review after 18 months in care of the status of any child under age 18 in any type of foster care, institution, or health care facility except children in care under Articles 7 (JD's and PINS) or 10 (abused or neglected) under the Family Court Act. If foster care is discontinued for up to 3 months and then resumed, the discontinuation period shall not constitute an interruption period for purpose of review. All parties including foster parents who have cared for the child for 18 months are entitled to notice and participation in the review proceeding. At the hearing, the court may choose among the following dispositions: continued foster care, return home, institution of termination proceedings if such grounds appear to exist (if agency fails to comply in 90 days, the foster parents may institute termination proceedings), placement of the child for adoption if he is free. The court may also order the agency to provide services to strengthen the parental relationship, including a specific plan of action. The court must consider the appropriateness of the plan for the child, what services have been offered to strengthen the family, alternative modes of care when return home is unlikely, and further efforts to promote the best interests of the child. Cases may be reheard at any time, but at least every 24 months. If the court orders adoption and the agency fails to comply by the time of a rehearing, the court may commit the child to another agency.

SSL
Section 397, 398 — Powers and duties of public welfare officials.

* Section 398 (5) (k) — Adoption subsidy.
General support and medical subsidy may be granted at the local commissioner's discretion. It shall be reviewed annually, except that there may be a medical subsidy contract to last until the child reaches age 21.

Related DSS Regulation 450.7 — General support may not exceed the district's monthly rate for foster care except that:

- For a period of up to 90 days following an adoption order, payments may exceed the monthly maximum by 75%

Comment: This provision can help families meet unusual start up costs of adoption, i.e., finalization costs.

- Medical payments are not limited by the monthly maximum.

The local commissioner makes an annual review of the parents' income and resources and may adjust support subsidy payments.

Families qualify for support subsidy according to the following income limitations (December, 1976):

Family size	Gross income
2	$ 8,293
3	11,785
4	14,549
5	17,168
6	20,078

The income limitation schedule may be adjusted when a family has:

- annual amortization payments (interest and principal only) or rental payments for shelter which exceed 15% of the family's annual gross income by adding the cash balance in excess of the 15% to the ceiling.

- current expenditures for medical care and rehabilitation services including special education for handicapped children, not covered or subject to payment or reimbursement by insurance, medical assistance, or other sources that exceed 8% of the family's gross income, by adding the cash balance in excess of 8% to the ceiling.

- current monthly fuel and/or utility expenses which exceed the monthly average for the previous 12 months, by adding the balance in excess of the 12-month average to the gross income limitation.

- extraordinary expenses related to the maintenance of a private dwelling owned by the family, and used as its exclusive residence by adding 50% of such expenses to the gross limitation; or

- more than 6 members, all or whom will be reported on the same federal income tax return for the current calendar year, by adding $1,000 to the maximum gross income of the schedule for each additional member.

When a family is found to be in need of a subsidy in order to absorb a child into the home but the family income exceeds the eligibility limitations, a social services official may authorize a non-renewable subsidy agreement for a period of not more than 6 months following the adoption of a child at a rate of payment that shall not exceed 75% of the agency's per diem rate for foster home care.

When an adoptive parent is 62 years old or older, or anticipates mandatory retirement from his present employment within five years from the date of the adoption decree, his income may be disregarded.

An adoption subsidy agreement shall not be executed by a social services official after an adoption decree unless a request for a subsidy shall have been considered and approved prior to the decree.

Subsidy may be continued if parents move out of state or live in another state or Puerto Rico.

SSL
Section 398 (5) (n) — Authorization to provide preventive services to keep children out of foster care.

Related DSS Regulation 450.4 — A foster child may be permitted to save for his own future $600 per year of his personal earnings. Any other income is applied to his foster care.

SSL
Section 398 (10) — A foster child may use his foster boarding monies to attend college away from the foster home.

Section 398-a — Standards of payment for foster care.
"Foster child" means a person under age 18 or under 21 if he is attending school.

DSS shall set standards of payment for foster care to include the care required and the cost of such care.

Related DSS Regulation 606 - to be fully implemented by January 1, 1979 (450.2 is repealed)

Standards of administration for foster care of children.

An agency considering foster care for a child must complete an intake study and service plan at least in preliminary form in 30 days after referral and in final form in 90 days. The plan shall include exploration of and services for obviating placement.

Long and short-term goals must be set, including a long-term goal by the end of one year, which shall either be return to relatives, adoption, foster care, or foster care beyond the age majority.

Various services must be provided:

- Within the first two weeks of placement: counseling for the bio-parents, the opportunity for the parents to participate in the child's placement, arrangements for appropriate parent/child contact, agency visitation of the child, and arrangement of special services for the child.

- Within the first three months: bi-weekly counselling visitation of the child, and consultation with the foster parents unless compelling reasons prohibit. The child must be visited at least every three months.

- During the fourth through twelfth month: contact with the family and the child must be at least monthly and with the foster parents at least quarterly.

- During the twelfth through twenty-fourth month: counseling and other services must be provided and there must be monthly contact with the child and quarterly with the foster parents.

- Thereafter contacts with the child and the foster parents must be at least quarterly and the service plan must be re-evaluated every six months.

Exceptions to the above directions are: the parent is not available for visitation, the child is too ill to benefit from casework, and similar reasons.

If more than one agency is working on a case, there must be documented cooperation and sharing of information between them.

During the six month period following the discharge of a child to relatives or his own responsibility, the agency shall provide services, contact or supervision, and counseling to prevent replacement.

Standards of Payment System:

The DSS sets program/fiscal standards for reimbursement of local foster care costs by the State, reviews local budgets, and sets maximum state aid rates for foster care.

Standards for boarding home payment are grouped as normal, special, and exceptional; clothing payments are grouped as initial and regular; and there may be special payments. Special and exceptional children are defined as those having problems such as handicaps.

The state has set maximum foster care rates that it will reimburse (December, 1976). Payment for normal foster care is:

	age 0 - 5	6 - 11	12 and over
Metro NY*	150.00	178.00	204.00
Upstate Urban**	137.00	165.00	191.00
Rest of State***	135.00	163.00	189.00

* Metro New York includes New York City, Nassau, Suffolk, Rockland, Westchester

** Upstate Urban includes Erie, Monroe, Onondaga, Albany and Orange counties

*** All local districts not covered above

Payment for special foster care is a maximum of $330 per month and for exceptional care $500 per month.

The annual clothing replacement allowance is:

Under 1 year	$125 per year
1 - 5	151
6 - 11	202
12 and over	359

Special payments may be reimbursed for:

Special attire (for proms, religious observances, uniforms, graduations, etc.)

School expenses (books, routine expenses, field trips, activity fees, Boys and Girls Club dues, etc.)

Music, art, dancing lessons and purchase or rental of items necessary to take part in such activities.

Birthday and other gifts, school jewelry, yearbooks, pictures, etc.

Transportation

Non-medical needs of handicapped children.

FCA

Title 6 Child Protective Services (see Article 10 of Family Court Act)

Section 413	Persons required by law to report cases of suspected child abuse: physician, coroner, dentist, nurse, hospital personnel, school official, social services worker, day care worker, mental health professional, and police.
Section 414	Any other person may report abuse.
Section 419	Reporters are immune from liability.
Section 422	Establishes a state central abuse register (telephone number: (800)-342-3720)
Section 424	The local commissioner must respond on a 24-hour basis to abuse reports, including investigation within 24 hours and reporting to the central registry.

Title 7 Day Services for Children (special education and other services offered to children during the day while they return home after services rather than living full time in an institution).

5. SOURCES OF CHILDREN

THE NEW YORK STATE ADOPTION SERVICE

Description of the Service

The New York State Adoption Service (NYSAS) was established in April, 1976, to serve all authorized agencies in the state as a means of recruiting adoptive families for children who have been legally freed for adoption. The NYSAS is charged with obtaining descriptions and photographs of available children from individual agencies. The photo listings are updated bi-weekly. The photo listing books are made available to all agencies and to interested citizen groups. As of December, 1976, there are 4,000 children registered with NYSAS. About 1/5 of these have been or are being photo-listed. Deferrals are subject to periodic review by the NYSAS staff, who in turn work with a Technical Assistance Panel made up of citizen representatives and persons affiliated with both public and private agencies.

The NYSAS replaces the New York State Adoption Exchange (NYSAE) which was mandated in 1971. The NYSAE was a computer matching program imported from the state of California. It proved to be an ineffective recruitment tool and was abandoned on the basis of recruiting parents at a 1% placement rate which contrasted with a private photo listing service (the CAP Book) rate of 26%. The CAP Book was funded by the state for two years.

At present, NYSAS is headed by Hannah Grossman. Inquiries about adoption in general and about specific children are accepted. Specific inquiries are responded to with information re: where the child is placed, i.e. which agency has the responsibility for him. Inquirers must obtain a homestudy from their local agency and the local agency must agree to do the postplacement supervision if the child is located in another area of the state. NYSAS can be reached at telephone number (800) 342-3710 or by mail at Room 2850, Two World Trade Center, New York, New York 10047.

How to make the Listing Service work for you

Some applicants request as many as forty children listed with NYSAS and never receive a reply. The problem in such cases might be with the way the service is being used.

Groups should counsel applicants in the following techniques for using NYSAS. First, advise applicants to get a completed homestudy if possible before requesting referrals. Agency staff list their available children with NYSAS and then collect the homestudy summaries of applicants referred to them. They are under pressure to place the children with one of the referrals quickly, and if an applicant does not have a completed homestudy, he has little chance of getting the child when other applicants do have homestudies completed.

Next, help the applicant to see the new NYSAS listings the same day they are mailed. If a particular child interests the applicant, he should try to be the first to put in a referral for him. (Speed is not necessary, however, with a very difficult to place child who has received no referrals.) The

applicant should get the name and telephone number of the child's worker from NYSAS and call immediately. With the description of the child in mind, the applicant should try to "sell himself" by indicating a strong personal interest in the child and an ability to meet the child's specific needs as described in the listing book.

If the child's worker seems personally interested in the applicant, then the applicant should pursue the match by contacting his own social worker with the information and by maintaining communication with the child's worker by telephone or letter at least once a week until it appears that a family has been selected for the child.

Applicants usually waste time when they pursue children whose workers express no interest in the applicants and when they leave the entire matching process up to their social worker, who may have little time, money, or inclination to make many specific contacts for NYSAS children located outside of his county.

If the applicant experiences problems using the service, contact NYSAS for information or monitoring help.

STATE ADOPTION EXCHANGES

Most states have established adoption exchanges. Fourteen states and two territories (Puerto Rico and the Virgin Islands) have no exchange program. The purpose of an exchange is to bring the children available for adoption into focus so that adoptive applicants can consider adopting them. Some states are structured as matching services where lists of children are matched to lists of available parents. Information in these exchanges is generally in the form of a computer printout, and has been shown to be less effective than a photo listing service where children are pictured and described. New York State has just changed to a photo listing service in April, 1976 and already there is a measurable increase in the number of children finding homes. Massachusetts (MARE), New Jersey, Connecticut (CARE), Delaware (DARE), Illinois, Texas, Michigan, the District of Columbia, and the Northwest Federation (6 states in the far northwest) offer photo listing services.

The existence of an exchange does not assure that it is a viable force in placing children. Complaints and criticisms of exchanges have centered on inappropriate methods of updating the information so that referrals are timely; insufficient recordkeeping to show the flow of children onto and off the exchange; impersonal presentation of data; arbitrary elimination of children legally freed but deferred from the listing.

An important role for citizens is the monitoring of the existing exchanges through involvement in exchange advisory boards, through the sharing of better exchange methods in existence, through encouraging those who are in charge of the exchange to keep appropriate records and establish appropriate methodology for moving the most children into adoptive homes in the most efficient way in the least amount of time.

Photo Listing Adoption Exchanges

Massachusetts Adoption Resource Exchange (MARE)
600 Washington Street
Boston, Massachusetts 02111

Indiana Adoption Exchange
c/o Patricia Vesper, Adoption Consultant
Department of Social Services - Child Welfare
141 South Meridian Street, 4th Floor
Indianapolis, Indiana 46225

New Jersey Adoption Exchange
Joyce Undy, Adoption Specialist
P.O. Box 510
Trenton, New Jersey 08625

Texas Adoption Exchange
Bobbi M. Matthews
Texas Department of Public Welfare
John M. Regan Building
Austin, Texas 78701

Don Haviland
Michigan Adoption Resource Exchange
300 South Capital Avenue
Lansing, Michigan 48926

Wisconsin Adoption Exchange
Division of Family Services
Department of Health and Social Services
1 West Wilson Street
Madison, Wisconsin 53702

California Adoption Exchange
Department of Health
714-744 P Street
Sacramento, California 95814

Adoption Listing Service of Ohio (ALSO)
Pat Montgomery, Superintendent
Ohio Department of Public Welfare
30 East Broad Street, 32nd Floor
Columbus, Ohio 43215

Delaware Adoption Resource Exchange (DARE)
15th and Cherry
Philadelphia, Pennsylvania 19102
Vivian Sewell

Child Care Association of Illinois
Charles W. Filson
2101 West Lawrence Avenue
Springfield, Illinois 62704

Children's Adoption Resource Exchange (CARE)
Janet Hutchinson
5229 Connecticut Avenue, Northwest
Washington, D.C. 20015

INTERNATIONAL ADOPTION

When you consider adopting a foreign child, you must contact the immigration authorities in your community to see what specific procedures and requirements they have.

Generally, you will be required to file papers including:

- Form I-600 - a petition to classify an alien as an immediate relative.
- Form G 325 - biographic information
- Certified copies of birth certificates (for the persons filing the petitions)
- Form I 34 - an affidavit of support
- Certified copy of your marriage certificate
- Immigration fingerprint charts on husband and wife (these are done at the immigration office)

Obtain a lawyer immediately to collect materials for the pre-adoption court petition. The lawyer in turn will have to obtain the social service agency's investigation report and official release papers from the international agency with whom you are working. The official release papers include a certificate of orphanhood, Family Registration, which serves as a birth certificate, a statement of guardianship and release for adoption, an application for certificate of an appointment as guardian. (Three copies of each of these should come from the international agency: one is filed in court with the pre-adoption petition; one, with immigration; and one is sent to your local social service agency.)

Immigration will investigate the child, and in some instances the family, and will provide your lawyer with a statement that the child is eligible to come into this country for adoption purposes. When this statement is received your lawyer petitions for the pre-adoptive hearing, and notifies immigration that this has been accomplished.

Immigration will then issue a notice of visa approval to the Department of State in Washington, D.C.. You then send the notice of visa approval to your international organization, which notifies the American Embassy in the child's country. The agency and the embassy work to obtain passport and exit visa for the child.

The child must also be adopted in accordance with the adoption laws of your state. He or she must also be registered with the Immigration Department as an alien each January until a naturalization occurs. At present you file with the United States Immigration and Naturalization Service for two years after the adoption is completed. When the child is naturalized, four notarized affidavits stating that naturalization has been completed must be sent to the international adoption agency for forwarding to the government of the child's country to cancel citizenship there.

Listed below are twenty-five of the organizations which will provide information or assist in the adoption of foreign children. Since sources of children, costs, and services change frequently, no details are given other than name, address and telephone numbers where available.

International Adoption Resources

Adoptive Parents Committee, 210 Fifth Avenue, New York, New York 10017 (212) 683-9221
American Friends of Children (Long Island Friends of Children of Vietnam, Inc.) 110 Old Country Road, Deer Park, New York 11729
Catholic Relief Services, 350 Fifth Avenue, New York, New York 10001 (212) 594-9300
David Livingstone Adoption Program, P.O. Box 232, Tulsa, Oklahoma 74101 (916) 747-3401 (Korean) or (918) 836-1692
Families for Children, 10 Bowling Green, Pointe Claire, Quebec, Canada
Foreign Adoption Center, P.O. Box 2158, Boulder, Colorado 80302
Foreign Adoption Resources, P.O. Box 774, Boulder, Colorado 80302
Friends of All Children, 445 South 68th Street, Boulder, Colorado 80302 (303) 494-7305
Friends of Children of Vietnam, 600 Gilpin, Denver, Colorado 80211 (303) 321-8251
Hogar Elisa Martinez, 32 Calle 27-01, Zona 5, Cuidad Guatemala, Guatemala C.A.
Hogar Sua Ti c/o Deborah McCurdy, Old Sudbury Road, Lincoln, Massachusetts 01773 (Columbian adoption of handicapped and school-age children)
Holt International Childrens' Services, P.O. Box 2420, Eugene, Oregon 97401 (503) 687-2202 (Korean)
Kuan-Yin Foundation, Inc. Barlanark, R.R. 1, Burlington, Ontario, Canada
Latin America Parents Association, P.O. Box 72, Seaford, New York 11783
Lutheran Social Services, 2414 Park Avenue, Minneapolis, Minnesota 55404
New York Homestudy Service, 298 Red Maple Drive, Wantagh, New York 11793 (516) 731-5155
OURS, 3148 Humboldt Avenue South, Minneapolis, Minnesota 55408
Outreach, Bernice Gottlieb, 125 Southlawn Avenue, Dobbs Ferry, New York 10522 (914) 693-2164 (children of Korean leper parents)
Pearl S. Buck Foundation, 2019 Delancy Place, Philadelphia, Pennsylvania 19103 (215) 732-1030 (Amerasian)
Travelers Aid - International Social Services of America, 345 East 46th Street, New York, New York 10017 (212) 687-2747
U.S. Catholic Conference (Catholic Relief Services), 201 Park Avenue South, New York, New York 10003 (212) 475-5400
Welcome A Child, 191 Creswell Drive, Beaconsfield, Quebec, Canada (Haitian)
Welcome House, P.O. Box 836, Doylestown, Pennsylvania 18901 (215) 345-0430
World Family Adoptions Ltd., 5048 Fairy Chasm Road, West Bend, Wisconsin 53095 (414) 675-6820
World Vision International, 916 West Huntington Drive, Monrovia, California 91016 (213) 357-1111

INTERSTATE COMPACT

In January, 1960, a twelve state conference approved the text of the Interstate Compact on the Placement of Children, developed by the New York State Legislative Committee on Interstate Cooperation. In March, 1960, New York State became the first to ratify the compact. By 1968, the compact had been ratified by 46 states.

The compact is meant to be an instrument to facilitate the placing of children across state lines. It calls for notification of the intent to place a child in a different state, approval by the receiving state, maintenance of jurisdiction by the sending state, and notification of the finalization of an adoption when such occurs. There are penalties for illegal placement of children across state lines (loss or suspension of license to place, or care for children).

The compact has posed many problems which are not yet fully resolved. Roberta Hunt (see bibliography) has made a synopsis of the problems:

- Termination and relinquishment proceedings are not recognized as legal from state to state.
- Individual state laws often specify restrictions of placement by "authorized agencies" of that state.
- Diversity in state adoption laws creates confusion as to when an adoption can be finalized.
- States have differing "importation and exportation of children" laws.
- There is no national-level machinery for controlling or modifying local inflexibility or unreasonableness.
- Higher costs such as travel expenses are a barrier to interstate adoption.
- Delay caused by extra paperwork is also a barrier.
- Uneven levels of practice and prevalence of substandard work make it difficult to establish the mutual trust essential to facilitate interstate adoption

6. MISCELLANEOUS RESOURCES FOR APPLICANTS

NORTH AMERICAN CENTER ON ADOPTION (NACA)

NACA has been established within the Child Welfare League of America to deal with the problems preventing placement of the estimated 100,000 waiting children in the United States. The center works with all media to increase public awareness of the waiting child. Major projects along these lines include: compiling and distributing a film and video tape catalogue of adoption materials; working with major publications in reviewing, editing, and revising adoption articles, and sections of books (Readers Digest, Family Health Guide and Dr. Spock's Baby and Child Care); developing and distributing publicity and recruitment kits, materials and techniques to local agencies and citizen groups. Training materials, technical assistance and consultation are available to agency staffs in the form of manuals for recruitment, workshops, and a list of persons qualified to teach workshops. One project of special interest is the training of adoption specialists through Columbia University, University of Michigan and the University of Southern California. NACA provides specific information on various aspects of adoption on request, and works to make more adoption materials available to more people through its newsletter "The Adoption Report" and the already established Child Welfare League of America library. Two current programs are the outreach program, designed to recruit and study families for children on the ARENA registry the longest, and the fund raising program (the Child-of-the-Month Plan). Further information can be obtained from Elizabeth Cole, Director, NACA, 67 Irving Place, New York, New York 10003

ADOPTION RESOURCE EXCHANGE OF NORTH AMERICA (ARENA)

ARENA was established in 1967 by the Child Welfare League of America to assist agencies in adoptive placement of children for whom no permanent homes could be found in their own community or state. It is now a part of NACA, and there is an increased emphasis on active recruitment of families. ARENA maintains a registry of available families and children. Additionally, ARENA offers consultation services to help set up and improve state adoption exchanges.

SPAULDING FOR CHILDREN

Spaulding for Children is a specialized agency established to find homes for the very difficult to place child. Organized in Michigan in 1968 as a direct response to the urgent need to find permanent adoptive homes for children traditionally considered "unadoptable," Spaulding has expanded and there are now Spaulding agencies located in Chelsea, Michigan; Mt. Laurel, Orange, and Westfield, New Jersey; Cleveland, Ohio, and New York City. Spaulding serves as a resource for the placement of children for whom agencies have been unsuccessful in finding permanent homes.

Spaulding also develops and demonstrates new methods and techniques for securing permanent families for children with special needs to assist other agencies in recognizing the adoptive possibilities that exist for even the most difficult and handicapped children.

FAMILY BUILDERS

Family builders was organized in 1975 in an attempt to meet the needs of adoptable children whom agencies had given up on - the truly hard to place - the older, older child, the more seriously involved physically, emotionally, mentally handicapped, the member of larger sibling groups. Today there are seven Family Builders Agencies in a growing nationwide network of specialized agencies, whose only work is adoption, whose emphasis is on applying all the available technology we have to making difficult adoptions work. The Family Builder program is coordinated by the North American Center on Adoption which requires that: adoption is the sole service of the agency; that children be referred on a purchase of services basis; that services be of a quality comparable to CWLA standards of adoption; that fees are not charged to the adoptive family; that the program be committed to significant expansion of adoption services to meet the waiting children's needs; that child advocates and adoptive parents be a significant part of the policy making process of the program; and that the agency make a commitment to cooperate among network agencies to strengthen the pace of progress toward mutual goals.

The December 1976 Family Builders Agencies are:

- Beech Brook - Spaulding, 3737 Lander Road, Cleveland, Ohio 44124
- Children's Home Society of California (Golden Gate District), 3200 Telegraph Avenue, Oakland, California 94609
- Children with Adoptive Needs, Family Counseling Center, 118 North Meteor, Clearwater, Florida 33515
- Peirce-Warwick, 5229 Connecticut Avenue North West, Washington, D. C. 20015
- Spaulding-Lutheran Child and Family Services, 24 West 45th Street, New York, New York
- Spaulding for Children, 3660 Wattroud Road, Chelsea, Michigan 48168
- Spaulding for Children, 321 Elm Street, Westfield, New Jersey 07090

7. DESCRIPTION OF THE DECISION MAKERS

THE GOVERNOR

The Governor influences children's services through messages on youth that provide direction to the legislature and government agencies.

Although he is only supposed to submit legislation in the area of the budget, he does submit program bills indirectly through legislators. The Governor's office monitors Department of Social Services and State Board of Social Welfare work, including children's services. The persons in the Governor's office dealing with children's services are the Program Associate (Emily Young, 474-1310) and the Legislation Division Counsel dealing with social services (John Bove, 474-7182).

The Lieutenant Governor cannot sponsor legislation, but through persuasion, that office can encourage legislative and administrative change and facilitate program development and monitoring. Whether the Lieutenant Governor becomes involved in children's interests is the choice of the person holding the office.

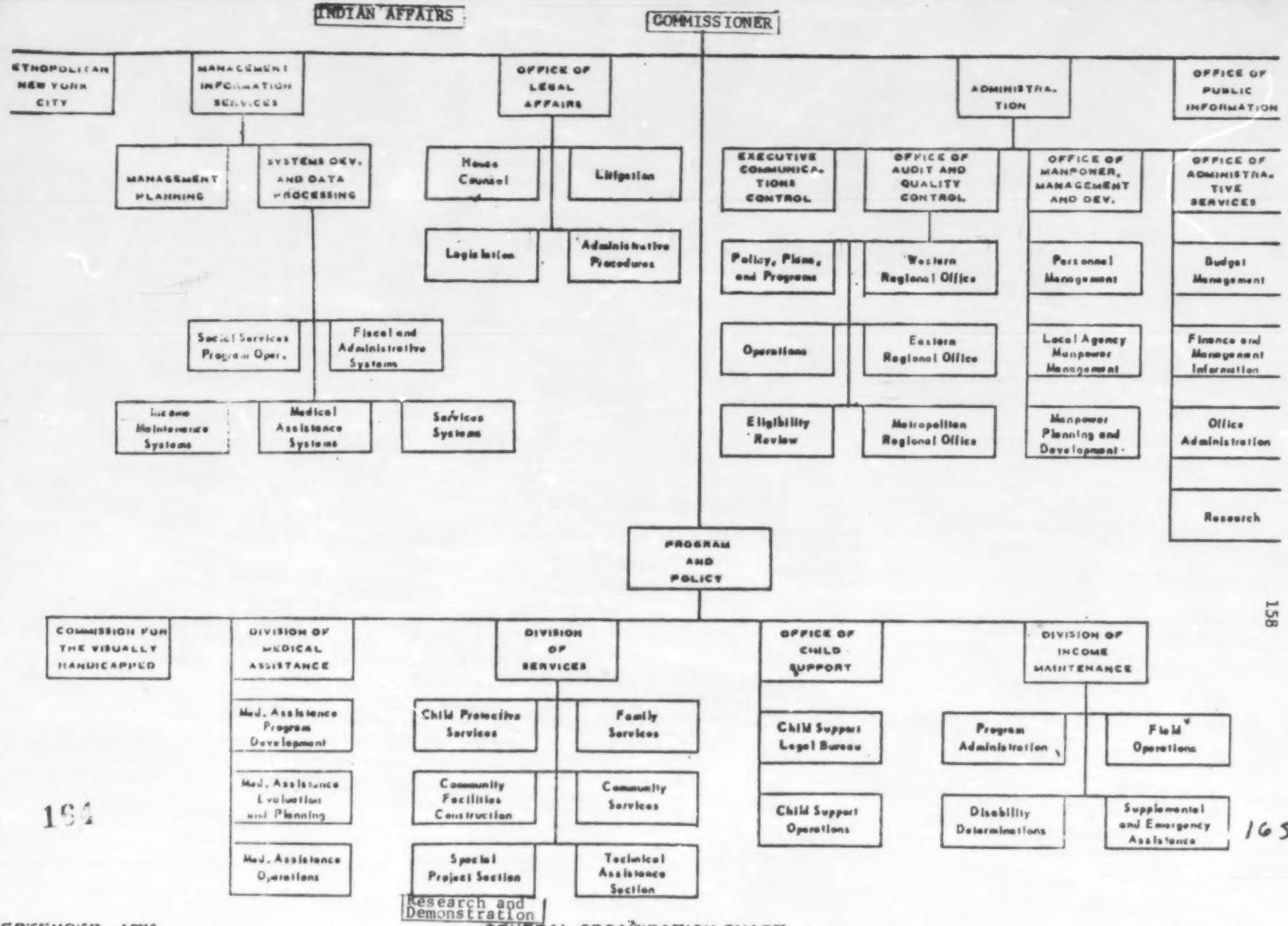
THE DEPARTMENT OF SOCIAL SERVICES (DSS)

The Commisioner of DSS is a member of the Governor's cabinet. An organizational chart of the DSS follows this section.

The DSS plans child care programs through its Bureau of Family Services. It coordinates funding of special programs with the Research and Demonstrations Division which has channeled Title IVb federal funds into innovative child care programs such as the Regional Adoption Project (promoting cooperation among agencies), the Citizens Coalition for Children Education Project, Operation Placement (promoting Black homes for Black children), The Model Adoption Payment System (developing new adoption payment systems), and the Model Agency (testing new adcption funding ideas).

The Department also influences child care programs through technical assistance and training programs and publications (pamphlets on subsidy, adoption, adoption and child abuse; program guides and information letters), the New York State Adoption Service (see the New York State Adoption Service Section in this Manual), and issuance of regulations and interpretations of law. DSS monitors children's services through its computerized Child Care Review Service, which tracks children in care, and through New York State Adoption Service.

The Department's tool for monitoring the child care system is funding. DSS is the administrator of federal and state reimbursement for child care and can withold funds for non-compliance with law or DSS standards.



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SEPTEMBER - 1976

GENERAL ORGANIZATION CHART New York State Department of Social Services

NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES
40 North Pearl St., Albany, New York 12243

COMMISSIONER:
Philip Toia (518) 474-9475
METROPOLITAN NEW YORK CITY OFFICE:
Martha B. Lewis, Deputy Commissioner (212) 488-3490
MANAGEMENT INFORMATION SERVICES:
Michael R. Diem, Director 474-9482
OFFICE OF LEGAL AFFAIRS:
Carmen Shang, Head Counsel 474-9502
ADMINISTRATION:
Deputy Commissioner, unappointed as of 12/7/76
OFFICE OF AUDIT AND QUALITY CONTROL:
James Durkin 474-9723
OFFICE OF MANPOWER, MANAGEMENT AND DEVELOPMENT:
John McKenna 474-9643
OFFICE OF PUBLIC INFORMATION:
Steven J. Morello 474-9516
OFFICE OF ADMINISTRATIVE SERVICES:
Donald Faden 474-0135
COMMISSION FOR THE VISUALLY HANDICAPPED:
John Baldwin, Director 474-6739
DIVISION OF MEDICAL ASSISTANCE:
Dr. William Stibell 474-9132
PROGRAM AND POLICY:
Hugh O'Neill, Deputy Director 474-9478
DIVISION OF SERVICES:
William Acosta, Deputy Commissioner 474-9428
Gregory Coler, Associate Commissioner 474-9431
CHILD PROTECTIVE SERVICES BUREAU:
James Cameron 474-9448
COMMUNITY FACILITIES CONSTRUCTION BUREAU:
Thomas Kilcoyne 474-9425
SPECIAL PROJECT SECTION:
Patricia Marsh 474-9461
FAMILY SERVICES BUREAU:
Donna Santarsiero 474-9436
COMMUNITY SERVICES BUREAU:
Robert O'Connell 474-9604
TECHNICAL ASSISTANCE SECTION:
John Fredericks 474-9457

OFFICE OF CHILD SUPPORT:
Al Jackson, Director 474-9081
DIVISION OF INCOME MAINTENANCE:
Dr. Blanche Bernstein 474-9222
RESEARCH AND DEMONSTRATION
Alan Ross, Hal Harkess 474-9445
INFORMATION: 474-9003

THE STATE BOARD OF SOCIAL WELFARE (SBSW OR BSW)

SBSW has authority under Article 17 of the State Constitution to visit and inspect all child care agencies and institutions. This means that the Board has the authority to monitor all child care agencies, although it currently monitors private agencies while the DSS oversees public agencies.

The Board promulgates rules and promotes studies of the child care system, such as Bernstein's Foster Care Needs and Alternatives to Placement, an adoption educational/recruitment media campaign.

In addition to its children's services, SBSW supervises adult care homes and approves charities and certain types of corporations.

Staff at Office Tower, Empire State Plaza, Albany, New York 12223 (area code 518)

- Executive Director: Bernard Shapiro 474-4357
- Assistant Executive Director for Upstate: Sidney S. Smerznak 474-1370
- Senior Consultants: Donald Smith 474-3964
  Raymond McQuade 474-3940
- Information Officer: Eleanor Billmeyer 474-3690
- Director of the Bureau of Children's Services: Bernard S. Bernstein 474-4587
- Legal Counsel: Robert B. Keyes 474-4053

At Two World Trade Center, 55th floor, New York, New York 10047

- Assistant Executive Director: Bernard C. Fisher 212-488-7024

Area offices

- Buffalo: General William J. Donovan State Office Building, 125 Main Street, Buffalo, New York 14203. Jean Sherman 716-842-4471
- Rochester: Executive Office Building, 36 Main Street West, Rochester, New York 14614. Ross Hayman 716-454-7870
- Syracuse: Senator John A. Hughes State Office Building, 333 East Washington Street, Syracuse, New York 13202. Mary Elizabeth Costello 315-473-8409
- Albany: Office Tower, 19th Floor, Empire State Plaza, Albany, New York 12223. Frederick McGauley 518-474-4143
- Metropolitan: (Two World Trade Center, address above) Suburban New York City, Lewis Brashears 212-488-4588. New York City, Bernard Fisher 212-488-7024

THE SENATE

The Senate is generally dominated by conservative Republicans sometimes reluctant to increase human services that cost the state money. Some progress in recent years has been made by pointing out that increased adoption and preventive services actually cost less than continued foster care.

The committee that most often considers child care legislation is Social Services, headed by Senator W. T. Smith. Senator Joseph Pisani on that committee has made himself such an expert in child care legislation, that other legislators have come to defer to his opinion on such bills.

Other committees that consider child care bills are Judiciary and Finance.

During the mid 1970's a special Temporary State Commission on Child Welfare, headed by Senator Pisani, was created. This Commission has conducted studies of barriers to termination of parental rights and adoption and has authorized much child care legislation.

THE ASSEMBLY

In recent years the majority Democrats in the Assembly have actively sought improvements in the child care system.

The Child Care Committee headed by Assemblyman Richard Gottfried has authored legislation relating to the New York State Adoption Service, mandated adoption services, juvenile justice, etc. Ways and Means Committee also considers child care bills with financial implications.

See also the Manual Section on "The Rules of Child Welfare".

THE COURT SYSTEM

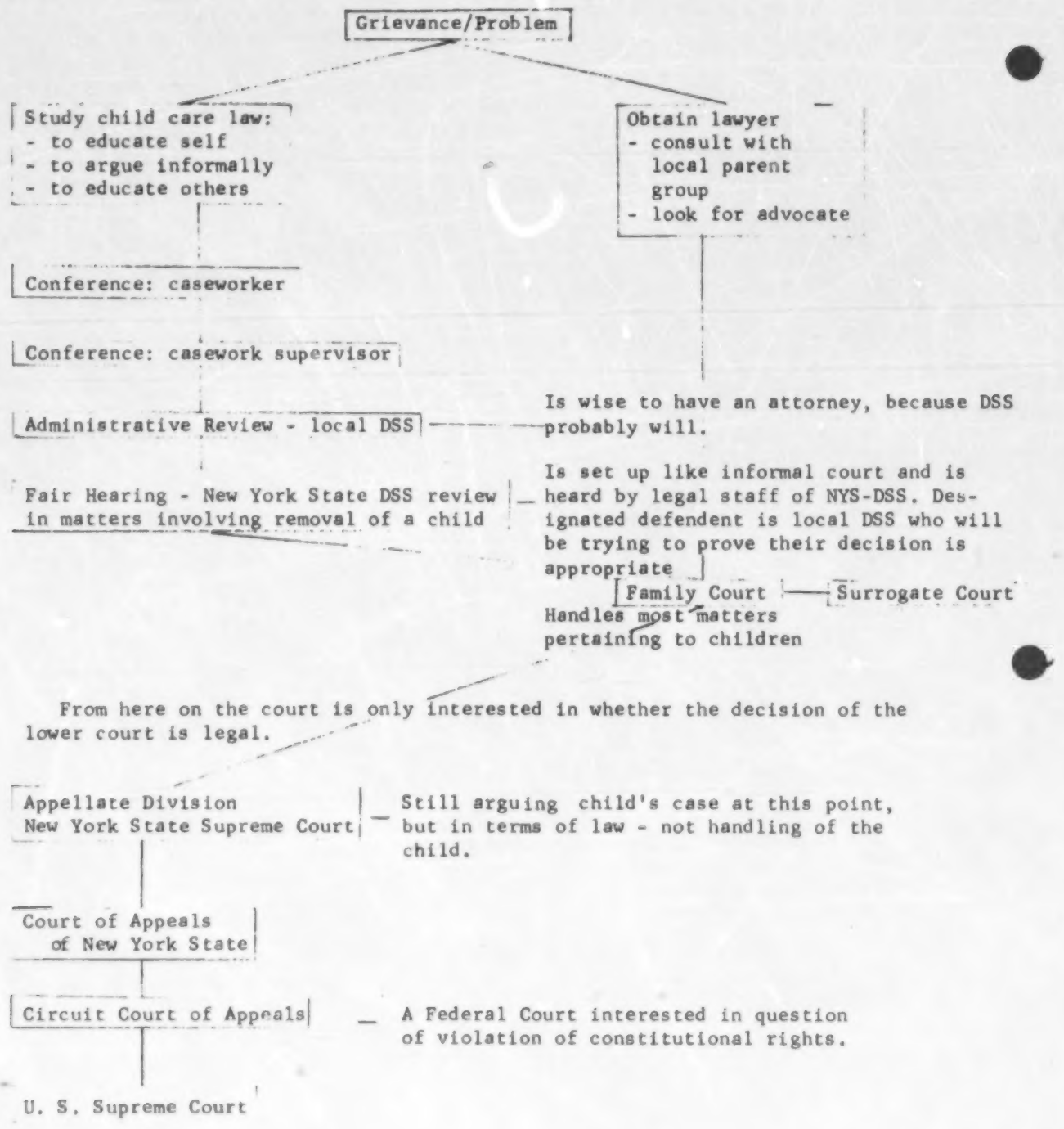
When the question of going to court arises, it is time to learn the child care laws and obtain a lawyer. Law is easy to read once you adjust to the format. However, interpretation of law is a profession, learned over a long training and practice period. Your reason for knowing the law is so that you can be sure you have a case, that you can argue the case informally before it gets to a courtroom, and that you can educate caseworkers, and even lawyers to the points of law that might apply to the case.

Following is a schematic chart of the steps to resolve a problem or achieve action on behalf of a child. There are several points to bear in mind:

- Lawyers fight to win cases on points of law. Your lawyer will face other lawyers representing the social services personnel, and the biological parents. Each lawyer will argue law to prove his client's case, and to prove your lawyer wrong.

- Once a case passes the lower courts, the child or the problem is no longer the central issue. The issue is one of whether the lower court has made a valid decision in accordance with the law. You only win in a higher court if a point of law has been violated by a lower court.

- Your efforts should be aimed at reaching a solution at the lowest possible level since the rules of evidence tighten with each step up and you are increasingly dealing with persons who do not know the child and are not primarily interested in theory or philosophy.


Grievance/Problem
Study child care law:
- to educate self
- to argue informally
- to educate others
Obtain lawyer
- consult with local parent group
- look for advocate
Conference: caseworker
Conference: casework supervisor
Administrative Review - local DSS
Is wise to have an attorney, because DSS probably will.
Fair Hearing - New York State DSS review in matters involving removal of a child
Is set up like informal court and is heard by legal staff of NYS-DSS. Designated defendent is local DSS who will be trying to prove their decision is appropriate
Family Court
Surrogate Court
Handles most matters pertaining to children
From here on the court is only interested in whether the decision of the lower court is legal.
Appellate Division New York State Supreme Court
Still arguing child's case at this point, but in terms of law - not handling of the child.
Court of Appeals of New York State
Circuit Court of Appeals
A Federal Court interested in question of violation of constitutional rights.
U. S. Supreme Court

The Family Court is the court most directly related to children in foster care. It approves a child's coming into care, reviews the child's foster care status, directs the child care agency to do certain things on behalf of the child, settles custody suits between agencies and parents, and terminates parental rights when necessary. In addition, it decides on matters of child support, paternity, family offenses. It determines the need for the designations "juvenile delinquent" or "person in need of supervision". It finalizes adoptions. Most recently two important areas of jurisdiction have been added to the Family Court - the review of voluntary foster care placements and Habeas Corpus proceedings.

The language of the courts is sometimes confusing. Here are some frequently heard terms with lay definitions:

adjudication - a decision or determination made by a judge.

affidavit - a written statement of facts, sworn to before an authorized official.

allegation - a statement, by a party in a legal action, of what he intends to prove: a statement of charges.

court calendar - a chronological register of cases tried in a court.

court docket - a list of cases in court for trial; the names of parties who have cases pending, a list of business to be transacted by a court: the court's agenda for the day.

court order - a direction of the court. A disposition is a court order. A court might give any number of other orders including: orders of intervention (granting one the right to join the arguing of the case); temporary orders directing an agency to open its records, directing a given examination (physical, psychological); orders restraining the agency from moving the child until a disposition is made, etc.

disposition - the final court order or settlement of a case. (A court order is the court's direction at the end of a proceeding - it is not a disposition).

felony - a more serious crime than a misdemeanor - subject to sterner punishment - a felony must be tried by jury.

filiation - the act of fixing paternity of an out of welock child.

finding - facts stated by a judge on which he relies or by which he reaches a decision.

guardian ad litem - a guardian (usually an attorney) appointed by a court to prosecute or defend for an infant.

habeas corpus - a writ issued by a court directed to the person detaining another commanding him to produce the person detained.

hearing - a proceeding of relative formality with definite issues of fact or law to be tried. In Family Court there are three kinds of hearings: fact finding, dispositional, and detention.

misdemeanor - an offence lower than a felony and generally punishable by fine or imprisonment in other than penitentiary for a period not in excess of one year.

order of protection - a document issued by a judge ordering a party not to engage in assaultive or harrassing conduct toward a member of his family - interpreted by the police to authorize arrest if the provisions are being violated.

petition - formal written request; the legal instrument to bring charges before the court.

placement - commitment of a child in a program or facility.

prima facie - legally sufficient evidence to establish fact or case unless disproved.

remand - to send back, as for an appellate court to return a case to the trial court for further proceedings; to send to appropriate detention facilities.

respondent - the one against whom charges are made; the one who must answer the charges; the defendant.

subpoena - a writ commanding a person designated in it to attend court under a penalty for failure.

LOCAL DECISION MAKERS

Public and private agencies

Public agencies are supported by government funds, and private or voluntary agencies are supported by a combination of private donations and endowments and government reimbursement for specific services, such as foster care. Private agencies are often sectarian. There is generally one public agency in each county, and any number of private agencies. The majority of upstate children are in the care of public agencies, while most New York City children are in the care of private agencies.

The local public agency commissioner is generally appointed by the County Board of Representatives, Governors, or Legislators, whichever your county has. Check the telephone book under your county name for the local board's address and telephone number.

Special New York City agencies and organizations

Child Care Services in New York City are supervised by Special Services for Children (SSC), formerly the Bureau of Child Welfare, headed by Carol Parry (telephone : 212-433-3111). The office is located at 80 Lafayette Street, 16th floor, New York, New York 10013.

SSC is divided into five offices:

- Direct Child Care Services, headed by Robert K. Davis, includes group homes, residential treatment centers, detention facilities, and foster and adoption services.
- Allocation and Accountability, headed by Linda Marino, finds the right placement for children and reviews services.
- Field Services deals with intake, preventive, and protective services.
- Administrative Services
- Program Planning directs the converting of existing child care facilities.

Purchase of services

Rather than provide services directly, one agency may purchase them from another agency. A public agency may purchase foster care or adoption services from a private agency.

A special payment of nearly $2,000 is made by the City of New York to an agency placing one of its wards for adoption. This payment is meant as an incentive to adoption; however, it may not cover an agency's costs incurred in the entire adoption process of one child.

Where to complain about local services.

After carefully defining and evaluating a complaint (see Manual Section on "General Guidelines for Changing Systems"), follow the chain of command with your grievance, i.e. conference with and/or letter to these people in this order:

- Caseworker or other person directly involved
- Supervisor
- Agency head
- Department of Social Services (or Special Services for Children in New York City)
- The Commissioner of Social Services, Ten Eyck Office Building, 40 North Pearl Street, Albany, New York 12243
- State Board of Social Welfare, The Executive Director, Office Tower, Empire State Plaza, Albany, New York 12223. Or the nearest area office representative.
- Governor's Office (described in this section)
- Legislators
- The press
- The court

Consult with Coalition for help at any step.

8. MISCELLANEOUS ORGANIZATIONS

There are several organizations and types of organizations which will be briefly described here to focus on the kind of activities that are occurring nationwide in the movement to improve childrens' services.

Some agencies exist because interested citizens have achieved professional accreditation:

AASK - Aid to Adoption of Special Kids, 3530 Grand Avenue, Oakland, California 94610 (415) 451-1748. Created by the DeBoldt family to help special kids (those considered hard-to-place) find homes, it serves as a liaison and information exchange between licensed agencies and adoptive parents. On March 1, 1976 AASK in Nevada received a license in that state as a child placing agency (for Nevada children and families).

Homes for Black Children - a Detroit agency funded in 1969 as a pilot project. It has placed 600 black children since then and is now a national model for minority-oriented adoption agencies. Directed by Ms. Sydney Carter Duncan.

PLAN - Plan Loving Adoptions Now, P.O. Box 667, McMinnville, Oregon 97120. Originally an adoptive parent group, it is now an approved adoption agency.

Tressler-Lutheran Service Association, 905 South Beaver Street, York, Pennsylvania 17403. One of their two adoption workers is Barb Tremitiere, an adoptive parent turned professional, who provides detailed information on the Tressler-Lutheran homestudy procedure in which parents essentially train themselves for adoptive parenthood and screen themselves out if they feel they would not be effective parents. The specialty of the agency is recruiting for large sibling groups. Barb Tremitiere edits a newsletter for the Parents of Adopted Children Organization (PACO) called "Children and Adoptive Parents" (free for families of 5 or more) which we urge you to subscribe to. In 1975, Tressler-Lutheran placed 203 children for adoption with a disruption rate of 2%.

Professional groups have structured their own councils to monitor themselves and present childrens needs, for example New York State Council of Voluntary Child Care Agencies (NYSCOVCCA), 104 East 35th Street, New York, New York 10016 or 176 Washington Avenue, Albany, New York 12210. NYSCOVCCA describes itself as the "central spokesman, catalyst and coordinator of voluntary child care objectives" and "a forum for ideas, a framework for planning and a vehicle for action." 124 agencies are members of COVCCA. They provide foster care for 25,000 New York City children and 3,000 children in the rest of the state. During 1975, 1,019 adoptions were arranged and finalized by voluntary agencies, and 1,184 adoptive placements were awaiting finalization.

Departments of Social Services are affiliating with research professionals to study their own systems with the expressed intent of changing them. For example: Welfare Research, Incorporated (WRI) is a not-for-profit corporation affiliated with the New York State Department of Social Services. It contracts with public and private agencies in the human services field to conduct research and demonstration projects; to develop program planning, imple-

mentation and evaluation; and to design management information and data processing systems. (112 State Street, 10th Floor, Albany, New York 12207)

Independent study groups have focused on child care as an educational issue, for example: New York State Association for Human Services, Inc. (formerly the New York State Welfare Conference, Inc.), 11 North Pearl Street, Suite 1412, Albany, New York 12207. The Association for Human Services organizes and manages conferences designed to provide educational forums for persons interested in the social service system, and to encourage such persons to provide input for system decisionmakers and legislators. The Association sponsors regional conferences within the state in an effort to educate county legislators and social service officials to specific issues, and allied service providers. They sponsor an annual conference focused on one issue or aspect of the social service system. The 1976 annual conference was held in November in New York City and concerned itself with the "Fiscal Crisis Fallout." The 78th Annual Conference will be held in Rochester in November of 1977.

National groups exist such as:

National Council of Organizations for Children and Youth (NCOCY), a coalition of 150 national, state, and local organizations which have as their common goal the improvement of the quality of life of our nation's children. 1910 K Street NW, Washington, D.C. 20005 (202) 785-4180.

One example of agencies joining forces to modify child care:

Ohio District 11 Project Adoption, Project Headquarters: Trumbull County Childrens Services Board, 2282 Reeves Road, N.E., Warren, Ohio 44483, project coordinator Barbara Roberts. In its first year the project for handicapped children placed 94 children. A special agency project, it involves four county social service agencies (Ashtabula, Columbiana, Mahoning and Trumbull).

Departments of Social Services are setting up computerized information systems to aid in the collection of child care data and administrative monitoring of the child care system. An example of this is:

Child Welfare Information Services, Inc. (CWIS, Inc.), 200 Madison Avenue, New York, New York 10016. CWIS is a computerized management information system designed by voluntary and public agencies, and funded by foundation grants to assist social services decisionmakers of New York City. Its board includes representatives of 8 voluntary agencies, 8 New York City public agencies, 4 New York State agencies, and 4 private, child interest groups. This board structure was chosen to ensure varied input of those who use the data and to guarantee that no one group can control CWIS or its data. Projects at present are: development of a system to provide meaningful information about children to judges, to automate the production of State BSW mandated forms, and to develop a master foster parent file.

CCRS, Child Care Review Service is a New York State program brought into being by legislative action July 1976. It is an outgrowth and expansion of the CWIS program into a statewide management system for children in foster care. CCRS is currently being implemented.

Welfare Management System (WMS), is a New York State program in the planning stages. It will take three to five years to design and implement, and seven to ten thousand individual persons will contribute to the design. When operational it will be a data bank used in determining eligibility for all human services rendered in New York State including foster care and adoption. CCRS will probably become a part of WMS when it becomes operational, but CCRS was brought into being because the need for a foster care data collection for upstate New York could not be put off for five years. CWIS may or may not become a part of the WMS, since it was set up through foundation grants and philanthropic contributions and has demonstrated that data collection and dissemination can be done outside government auspices more cheaply than it can be done within government.

WMS - New York State Welfare Management System - a computer program for storing and processing demographic and eligibility data on all applicants for and recipients of public assistance, medical assistance, Supplemental Security Income, food stamps and services. It is used as an aid to the administration and analysis of existing and future social service programs.

Beyond the state there are plans for national monitoring systems. The Child and Youth Centered Information System (CYCIS) is a national project, philanthropically funded and in the planning stages for the past two and a half years. The end product of its work thus far is a national model for collecting and using information for case management for any child who is placed outside his own home. Its scope goes beyond foster care to include the tracking and monitoring of casework for children in mental institutions, in Division for Youth programs, children living in hospitals, etc. Six states have indicated willingness to implement the program design to test its effectiveness.

CWLA, Child Welfare League of American, 67 Irving Place, New York, New York 10003, is a national organization with 387 agency members which serves the needs of children by trying to insure that private and public monies are used effectively and efficiently in child welfare. Its work includes: standard setting and accreditation for agencies; administration and supervision of programs such as the Hecht Institute for State Child Welfare Planning, the North American Center for Adoption (which in turn includes the Adoption Resource Exchange of North America (ARENA); maintenance of the Information Service which provides data to local, state, and federal governments; publication of the professional journal Child Welfare; sponsorship of eight regional conferences to provide post-graduate education for 11,000 child welfare workers; and running the Research Center which monitors trends and tests the effectiveness of programs with a view to improvement of service.

NYCLU, New York Civil Liberties Union, 84 5th Avenue, New York, New York 10011, is involved in litigation to protect the rights of freedom of inquiry and expression, privacy, due process of law, and equality before the law guaranteed to all Americans by the Constitution.

The NYCLU has a Children's Rights Project which in the last three years has directed its energies to focusing on the child care system of New York City. On behalf of children in care, the CLU has brought a series of lawsuits to challenge whether the constitutional rights of children were being violated. One case, concerning the removal of children from foster homes, has gone to the Supreme Court. It is the first case of its kind to be heard there.

The Children in Placement Project is a project of the National Council of Juvenile Court Judges, headed by the Hon. John Steketee, funded by the Clark Foundation. It has promoted movement of children from foster care to permanent homes using twelve court systems. In Portland, Oregon, the project was responsible for 462 placements last year (66 were children directed into adoption and out of group homes and institutions). The project has trained and used Junior League volunteers for review of case records and has produced training materials for court people. The materials include slides, video tapes, audio cassettes, and a guide book. Further information is available from Judge Steketee, 1501 Cedar Avenue, Northeast, Grand Rapids, Michigan 49503.

9. HOW CHILD CARE SERVICES ARE FUNDED

There is one basic fact that you must get across to the public: It is less costly in human and financial terms to keep children out of the foster care system. Foster care is even more expensive than subsidized adoption or preventive services (homemaker, counseling, day care) to keep biological families together. The approximately $300 million that New York State spends annually on foster care is not a cost saving alternative for children. The Bernstein report discussed later on this chapter indicates that 1/3 of our foster children should be placed for adoption or returned to their biological families. It is extremely difficult to understand the specific funding system used for children's services for several reasons. The New York State Temporary Commission on Child Welfare 1975 report, "The Children of the State" concluded; "The entire system manifests a lack of comprehensive coordination and meaningful accountability."

- Services are reimbursed on several different schemes. For instance:

  - Foster care maintenance (ADC-FC) is 50% federal, 25% state, 25% local. ADC-FC means Aid to Dependent Children in Foster Care. ADC is a public assistance category and is commonly referred to as "welfare."

  - Foster care services (Title XX) are 75% federal, 12.5% state, 12.5% local until the federal allotment is expended, then they become 100% local.

  - Adoption services are reimbursable in the same scheme as foster care services, i.e. 75% federal, 12.5% state, 12.5% local until Title XX funds run out each year. Then the state pays 50% and the county pays 50%. Additionally, agencies sometimes use foster care monies to fund adoption services, such as when children are placed in adoptive homes as foster children prior to finalization.

- Monies come from several federal sources such as Title XX, ADC, Title IV, Medicaid (Title XIX). Additionally, money is appropriated by various state laws.

  - Per diem rates are based on geographic location, population, local decision, and whether the agency is public or private. They also vary according to type of care and return of the facility where the child is placed. Private agencies receive up to 85% of their budgets through tax reimbursements.

  - Some program monies are jointly administered. For example, Medicaid funds by the Department of Health and DSS. Handicapped children are frequently partially supported by the Department of Mental Hygiene.

  - ADC funds (which were originally established to help children in their homes) can be used for foster care if the child was in ADC prior to entry into care as his family would be eligible. They cannot be used for foster care services (counseling, rehabilitation, etc.), but can be used for maintenance (shelter, clothing, etc.).

- There are different money sources depending on whether a child has come into foster care as a PIN, through Protective Services, through a DSS petition for custody or through voluntary placement with court action to assure payment.

Consensus of experts estimates that preventive services costs $1,162 per child per year; that foster care costs $5,000, that institutional care can cost over $30,000 ; and that adoption costs $400-$4,000 as a one-time expense.

According to the Bernstein Report (taken from New York State Council of Voluntary Child Care Agencies material used in preparation for the conference "A Call to Action", March 16, 1976), current (average) per diem (estimated rather than actual) and per annum, per child vary according to the type of care and nature of the child care facility.

	Per Diem	Per Annum
Foster Home	$ 14.14	$ 5,200
Group Home	42.13	15,400
Group Residence	51.03	18,600
General Institution	93.09	34,000
Secure Detention	115.31	42,100

Estimated annual costs of alternative services to keep children out of foster care would be:

Comprehensive family center	$ 900
Casework agency	1,000
Child guidance	2,000
Homemaker	2,000
Family day care	2,000
Day care center	4,000
Day treatment	8,000
Drug/alcohol rehabilitation	2,800
Housing assistance	1,000

TITLE XX

Title XX of the Social Security Act became Public Law 93 - 647 on January 4, 1975. It replaces Title IV-A (which disallowed Federal Financial Participation for adoption services) and Title VI. It is the national instrument for distributing federal money in the areas of health, education, and welfare.

Title XX calls for states to submit yearly plans directed toward the following goals:

- economic self-support
- achieving and maintaining self-sufficienty
- preventing and remedying neglect, abuse or exploitation of children
- preventing or reducing inappropriate institutional care
- providing services to the institutionalized

Title XX requires that specific mention of a service be in the state plan to be eligible for federal financial participation. Adoption is mentioned in New York State plans. Some states do not plan to use Title XX money for adoption. California, which has one of the three largest child care populations, is one of the states.

Keep in mind that there is a fixed amount of Title XX funds granted to each state annually and New York State runs out of these funds because of its great numbers of poor people.

Title XX ceiling for fiscal year 1976 is $21[illegible].5 million for New York State. New York State total welfare costs will amount to at least $287.5 million (of this amount, .9% is to be directed toward adoption). Under federal law, at least 50% of a state's allotment of federal funds must be spent for services to those eligible for or in receipt of ADC, Supplemental Security Income (SSI) and Medicaid funds.

The Hecht Institute (1346 Connecticut Avenue Northwest, Washington, D.C. 20036) estimates that nationally, $26,616,273 (1.2% of Title XX money) will be spent on adoption services in the fiscal year 1976 (7 states not included in the estimate). The federal share of that amount will be $19,742,248. 63,318 individuals will be served (9 states not included in the estimate).

New York State DSS estimated Title XX expenditures for foster care (February, 1976) at $45,016,687 for 60,644 clients in their annual report (1975). New York State has 49,041 children in foster care at a cost of $270,000,000.

Title XX can not be used for subsidized adoption, which is a maintenance service, but it can be used during the adoption process and afterwards for services if the family is income eligible.

There is an 80% (of the state median family income: $16,952) eligibility rate for adoption written into Title XX plans. The 80% adoption eligibility rate refers to income for the child ($6,310) who is considered a family of one. The state must charge a fee if the income exceeds 115% of the median family income. Since almost no children needing adoption would have such a personal income, Title XX money can be used for their adoption costs.

Title XX provides funds for staff training at a 75% matching rate for persons employed by DSS and service delivery personnel in private agencies, and there is no ceiling on Title XX training funds.

FINANCIAL DISINCENTIVES TO ADOPTION

The social services officials of New York State have indicated that adoption is to be a priority issue and in fact policy statements relfect an emphasis on placing children. However, the state has yet to overcome existing financial disincentives to adoption, such as:

- It costs more for a county to provide an adoption subsidy than to pay foster care maintenance because there is no federal reimbursement for subsidy. Subsidy is paid 50% by the state, 50% by the county. Foster care maintenance is 50% federal, 25% state, 25% county.
- It costs more for a county to provide a medical subsidy for an adoptive child than to maintain a child on Medicaid for a foster child because there is no federal reimbursement for subsidy, but there is for Medicaid.
- There are no set standards for adoption costs nor are there equitable plans for reimbursement when two agencies, with different fee schedules, try to work together to effect adoption.
- Agencies are reimbursed more fully for the costs of care than for efforts to move children out of care.
- Subsidies require that the adopting family be eligible on an income basis, which may be withdrawn in the future if the family becomes ineligible. Annual reevaluations of the families income eligibility can lead to disqualification for subsidy. (See Manual section on "The Rules of Child Welfare").

ADOPTION SUBSIDY PROGRAM IN NEW YORK STATE

Subsidies for adoption are available and were conceived as an incentive to persons who could not affort to adopt without financial assistance. 2,000 children have been adopted with subsidy since 1968 when the Adoption Subsidy Program was enacted into New York State law.

An income limitation schedule is used in determining whether a family is eligible for subsidy as follows:

Family size (including adopted child)	Gross income
2	$ 8,293
3	11,785
4	14,549
5	17,168
6	20,078

There are additional allowances for families over 6 and special circumstances (see Manual section on "The Rules of Child Welfare"). Medical subsidies may be provided without attention to the income schedule.

FEDERAL ADOPTION SUBSIDY MODEL

HEW has published a "Model State Subsidized Adoption Act and Regulations" (DHEW Publication II (OHD) 76-30010), which urges attachment of subsidy to the child, thus eliminating the need for parent eligibility and ongoing evaluation of whether subsidy is needed.

NEW YORK STATE REPORTS ON ADOPTION/FOSTER CARE

Of the 50,000 New York State children in care approximately 30,000 are in New York City. Therefore the city is frequently studied and results used forstatistics. The following information comes from a study by Blanche Bernstein for the Board of Social Welfare.

The New York State Board of Social Welfare "Annual Report for 1975" contains the following: One-third of the children in care should be placed for adoption or returned to their biological homes. Of the $19 million it would cost to place these children with adoptive families, two-thirds would be for one-time legal and casework costs; the remaining third for adoption subsidy to families who qualify.

The alternative, keeping these children in foster care, would cost $28 million a year more. Since N. Y. State children stay in foster care an average of 51 years, the additional cost would be $280 million.

Seven per cent (2,100) of the New York City children could have left foster care, but nearly all would need such services as remedial education, day treatment centers for various handicaps, homemakers to help inadequate or over-burdened mothers.

It is difficult for advocates to document the inadequacies of the child care system and work towards positive change. When documentation has been available, state officials have worked to achieve change. They need and encourage the continued support of advocates.

The DSS has written into its regulations (Department Regulation 606.15 Sanctions) that an agency can have a possible monthly reduction of 15% in state aid if an audit shows that in 20% of the sample audited, compliance is not documented in case records in the following areas:

- 3% intake
- 1% information, referral and services to prevent foster care
- 3% development of a placement service plan
- 3% implementation of a placement service plan
- 3% evaluation of a placement service plan
- 2% staff development (training required if a district is found to be out of compliance on 15% or more of its cases)

Request "Administrative Performance Standards - Standards of Payment for Foster Care System" from New York State DSS, to learn the specific requirements in each area, to assist your group in monitoring the system locally.

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